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ST. LOUIS

CENTRAL TRAFFIC-PARKWAY

RECOMMENDED

BY

The City Plan Commission

APR 10 '13

JULY, 1912

UNIVERSITY OF CALIFORNIA LOS ANGELES

CITY PLAN COMMISSION

OF ST. LOUIS

MEMBERS EX-OFFICIO

JOHN H. GUNDLACH,
President City Council

JOHN H. SOMMERICH,
Speaker House of Delegates

MAXIME REBER,
President Board of Public Improvements

JAMES C. TRAVILLA,
Street Commissioner

DWIGHT M. DAVIS,
Park Commissioner

JAMES N. MCKELVEY,
Building Commissioner

MEMBERS APPOINTED BY MAYOR

GEORGE E. KESSLER
HUGO A. KOEHLER
PHILIP C. SCANLAN
COLIN M. SELPH
CHARLES A. STIX
WILLIAM TRELEASE
CYRUS P. WALBRIDGE
HARRY B. WALLACE
THOMAS C. YOUNG

WALTER B. STEVENS,
Secretary

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25745

AN ORDINANCE CREATING A CITY PLAN COMMISSION, DEFINING THE DUTIES THEREOF

Be it ordained by the Municipal Assembly of the City of St. Louis, as follows:

Section One. There is hereby created a Commission to be known as the City Plan Commission which shall consist of fifteen members.

Section Two. The President of the City Council ex-officio, the Speaker of the House of Delegates ex-officio, the President of the Board of Public Improvements ex-officio, the Street Commissioner ex-officio, the Park Commissioner ex-officio, and the Commissioner of Public Buildings ex-officio shall be members of said Commission. The other nine members shall be appointed by the Mayor and all members of said Commission shall serve without compensation. Five of said nine members to be appointed by the Mayor shall be appointed for four years and the remaining four members shall be appointed for two years. All of said members so appointed shall hold their respective office until their successors shall be duly appointed and qualified.

Section Three. The qualifications of the members so to be appointed by the Mayor shall be as provided in Section Ten of Article Four of the Charter of the City of St. Louis.

Section Four. The duties of the City Plan Commission shall be:

First. To prepare a comprehensive city plan for the future improvement, as well as for the commercial development of the city, including recommendations for:

(a) Improvement of the river front;

(b) Extension of streets and the supervision of the opening of sub-divisions;

218505

(c) Improvement of surroundings of Union Station;

(d) A system of widening and opening various through streets so as to make the city more cohesive and less disjointed;

(e) Control of nuisances;

(f) A playground, park and boulevard system;

(g) Location of public buildings;

(h) Encouraging the location of manufacturing establishments in designated districts;

(i) Extension of conduit district for wires;

(j) Extension of granitoid sidewalk districts, and for the regulation of same in the residence districts so as to provide for the planting of trees and for sufficient soil space to assure their growth;

(k) Such other improvements as will tend to make St. Louis a greater and more beautiful city.

Second. To suggest the state and municipal legislation necessary to carry out the recommendations of the Commission.

Section Five. The Commission shall make all rules for its guidance and procedure.

Section Six. The Commission shall submit a report to the Municipal Assembly as comprehensive as may be, on or before January first, nineteen hundred and twelve, and shall make such other reports as the Commission may deem advisable.

Approved March 27, 1911.

CENTRAL TRAFFIC-PARKWAY

REPORT OF THE CITY PLAN COMMISSION, JULY 9, 1912.

To the Honorable Municipal Assembly of the City of St. Louis—
Gentlemen:

Under the provisions of ordinance 25745, approved March 27, 1911, the City Plan Commission submits the following report:

The Commission unanimously recommends that the city acquire by condemnation the property embraced in the city blocks bounded by Market and Chestnut streets, Twelfth street and Jefferson avenue, to create a central traffic-parkway. The Commission recommends this as the essential first step to be taken under Section Four of the Ordinance, which provides that—

"The duties of the City Plan Commission shall be:

"First. To prepare a comprehensive city plan for the future improvement as well as for the commercial development of the city, including recommendations for:

"(c) Improvement of surroundings of Union Station.

"(d) A system of widening and opening various through streets, so as to make the city more cohesive and less disjointed.

"(f) A playground, park and boulevard system."

The Initial Step.

This traffic-parkway from Twelfth street to Jefferson avenue is the initial step in the planning for a greater and better St. Louis. If approved, it will be followed naturally by extension westward from Jefferson avenue to Grand avenue. The best city planning is that which permits traffic to pass from any point to any other point in a city by the most direct and expeditious routes. Judged by such definition St. Louis to-day is not well planned. The traffic-parkway from Twelfth street to Grand avenue will become a main artery of travel east and west. It will be supplemented by connecting radial thoroughfares which will make the city cohesive. There will follow prop-

erly the creation of a traffic-parkway from the vicinity of Twelfth street and Washington avenue northwesterly, touching small parks and playgrounds, including St. Louis Place, and making connection with Natural Bridge Road and Florissant avenue. This will bring North St. Louis into direct and close relationship with the business center. From Twelfth street and Clark avenue will extend southwesterly to the suburbs a traffic-parkway corresponding with that of the northwest, reaching the parks and playgrounds of the southern half of the city and tying that section by direct means of communication to the business center.

Depreciating Values.

In the vicinity of Olive and Twelfth streets values range from $1,000 a front foot upwards. About the intersection of Grand avenue and Olive street values have climbed to similar figures. Between these two centers of high-priced and rising property lies a strip two miles long and half a mile wide. Three-fourths of the property embraced in that strip is not worth as much as it was twenty years ago. A considerable portion would not sell to-day for the prices realized thirty years ago. And some of it has dropped below the value of forty years ago. The depreciation in many blocks has carried this property downward to one-third and one-half of what it was considered worth by a former generation. Rentals have been reduced to fractions of what the improved property once yielded. Four-fifths of the buildings have been allowed to deteriorate. Hundreds of these buildings are now untenanted. A thousand of them yield the owners only nominal revenue.

A Blighted District.

And yet this strip is the geographical center of St. Louis. Its gently undulating topography is ideal for the best city growth. This "blighted district" fronts upon the main gateway into the city. Lengthwise through it run the chief lines of travel between the business center and the residence sections.

Except in a few scattered localities the conditions, bad as they are, are growing worse. The general tendency of values is downward. More than one-half of the frontage is for sale. There is practically no market for ground west of Jefferson avenue, east of Theresa avenue and south of Locust street. The occasional transactions that are taking place east of Jefferson avenue are at prices so low as to tempt speculative buyers willing to wait an indefinite period.

The few improvements between Olive and Market streets consist

chiefly of light manufacturing plants attracted there by the cheapness of the ground. Possibly in the course of the next two generations this blighted district, if nothing is done to redeem it, may be occupied by three-story and four-story factories. That seems to be forecasted by the transition now in its early stages. Such an evolution would fix the undesirable character of the strip for the next half century and perhaps permanently. It would hold down values in the entire district. It would have a damaging influence on the city's growth.

Grand and Olive.

To-day the commercial and financial heart of St. Louis is between Fourth and Twelfth streets, Washington avenue and Market streets. Five years ago the intersection of Broadway and Washington avenue was the center of greatest sidewalk traffic. To-day, in the course of every twenty-four hours, more people pass the crossing of Grand avenue and Olive street than any other intersection of St. Louis thoroughfares. Grand avenue is fifteen minutes from North St. Louis, from South St. Louis, from West St. Louis, from anywhere. The daily papers, within a month, have called attention to the fact that improvements being made and planned in the vicinity of this rising center amount to over $6,000,000.

No gift of prophecy is necessary to predict what may happen if the central section of the city from Twelfth street to Grand avenue is allowed to remain in the present undesirable state until occupied gradually by manufacturing industries encouraged by the present cheapness of the ground. From Twelfth street to Grand avenue the district between Washington avenue and Market street should be prepared for the future commercial expansion. In obedience to the city's natural growth stores, wholesale and retail, hotels, downtown apartment houses, places of amusement, should occupy the territory westward along Washington avenue, Locust, Olive, Pine, Chestnut and Market streets. These frontages should advance rapidly by the legitimate expansion of business and without depreciation of any other section.

Shifting Values.

St. Louis has suffered severely from the shifting of values. The city has seen the leading commercial thoroughfares of one generation become the depreciated and half-deserted avenues of another. The palatial homes of one generation have become the rooming houses of

the next. St. Louis has ruins east of Fourth street and this long blighted district west of Twelfth street. City planning should aim to steady and make permanent the values of the business district. It should provide for logical commercial growth which will not be at the expense and loss of any other section. It should create great thoroughfares which will take care of future traffic without that congestion already apparent on downtown streets.

Looking to such desirable development, the City Plan Commission recommends the acquisition of the blocks between Market and Chestnut streets westward from Twelfth street to Jefferson avenue, for the creation of the central traffic-parkway. Present low values of realty encourage immediate action.

Conditions Which Favor.

The frontage on Twelfth street, between Market and Chestnut streets, is assessed at $1,000 per front foot for the corner of Twelfth and Chestnut, and $1,100 per front foot for the corner at Twelfth and Market. The frontage on Twelfth street between the two corners is assessed at $650 per front foot.

In the western part of the block, extending to Thirteenth street, the frontage on Chestnut street is assessed at $225 and on Market street at $400. These assessments hold for the two frontages except the corners at Thirteenth street, which are assessed at $350 for the Chestnut street corner and $500 for the Market street corner.

On Grand avenue, the western terminus of the proposed traffic-parkway, the ground between Lawton and Pine streets is assessed at $350 on Pine for the Grand avenue corner and at $150 on Lawton for the Grand avenue corner. From both ends of the traffic-parkway valuations diminish rapidly. East of Jefferson avenue the ground is assessed as low as $55 per front foot for Chestnut street frontage, and as low as $65 per front foot for Market street frontage. West of Jefferson avenue a considerable part of the frontage of Pine street is assessed as low as $35 per front foot, while the assessment of the ground fronting on Lawton avenue between Jefferson and Grand for several blocks runs as low as $30 per front foot.

Cheap Improvements.

The valuations of improvements in the blocks within the limits of the proposed traffic-parkway show the same tendency downward. Between Twelfth street and Jefferson avenue, Market and Chestnut streets, there is only one block on which the improvements are rated

CHESTNUT STREET, FRONTING TRAFFIC-PARKWAY

CHESTNUT STREET, PROPERTY TO BE CONDEMNED

by the assessor at over $100,000. That is the block between Eighteenth and Nineteenth, Market and Chestnut streets, opposite Union Station. The principal structures are hotels. The total valuation of the improvements of the entire block is $116,800. The improvements of the block between Sixteenth and Seventeenth, Market and Chestnut, are valued at only $41,800. The valuations of improvements on the other blocks range between $45,000 and $100,000.

The total valuation of all of the improvements in the twelve blocks from Twelfth street to Jefferson avenue, comprehended in the recommended plan for the traffic-parkway, is $840,950, an average of only $70,000 to the block.

In the nine blocks forming what may become the western section of the proposed traffic-parkway, between Lawton avenue and Pine street, extending from Jefferson avenue to Grand avenue, the improvements range from $49,500 to $128,600. The former valuation is for the improvements of the block between Leffingwell and Ewing, while the latter valuation covers the block between Ewing and Garrison. The total assessed valuation for all improvements on the nine blocks is $815,100.

For the entire twenty-one blocks between Twelfth street and Grand avenue the valuation of the improvements is placed by the assessor at only $1,656,050.

Traffic-Parkway Plans.

Five tentative plans before the Commission illustrate the possible development of this traffic-parkway. The blocks between Market and Chestnut streets are narrow from north to south as compared with other St. Louis city blocks. Lots fronting on these streets are only 81 feet deep in the block from Twelfth to Thirteenth street. West of Thirteenth street the lots are from 72 feet to 73 feet 5 inches in depth. This shallow condition prevails to Jefferson avenue.

The condemnation of the blocks would give the city for the proposed traffic-parkway a space of 287 feet width from the north side of Chestnut street to the south side of Market street. The tentative plans contemplate a division of this space into sidewalks, two traffic-ways, two spaces for street car tracks, two narrow parks and a central boulevard.

The tentative plans differ chiefly in the proposed width of the sub-divisions. One of the plans gives the sidewalks along the property line of Chestnut and Market streets a width of ten feet. Next to the sidewalk is allowed a space of ten feet for grass and trees. The

trafficways are 45 feet in width, this space including the two reservations for the car tracks, which are located along the south side of the Chestnut street trafficway and along the north side of the Market street trafficway. Next to the car track reservations are the strips of parking, each having a width of about 55 feet. This width is divided to provide for a lawn of thirty feet, with two rows of trees, bordered by walks 12 feet wide. Between the two strips of parking is a boulevard 50 feet in width.

Five Tentative Plans.

The trafficways are for business and slow-moving vehicles. The boulevard is intended for fast-moving light vehicles. Along the street car reservations are walks bordering on the strips of lawn. This tentative plan is Sketch A.

Sketch B varies from Sketch A in that it offers a different arrangement of the walks in the parking, so that one walk passes between and underneath the double row of trees. The space allowed between the rows of trees is 20 feet. The park width, including the walk beneath the trees, is 53 feet 6 inches. The trafficways in Sketch B are 45 feet, the same as in Sketch A.

Sketch C proposes to make the walks on the Chestnut and Market street frontages 16 feet wide and narrows the trafficways to 36 feet, placing the street car tracks within the parking in such manner that only the rails show above the grass. This plan would give for the parking, which includes the street car track space and the walk on either side of the double row of trees, a greater width than suggested in the other sketches.

Sketch D also suggests the placing of the car tracks in the parking and covering all but the rails with grass. It allows 16 feet for the Chestnut and Market street walks, and gives the driveways a clear width without street car interference of 36 feet. It provides for two rows of trees in each strip of parking on either side of the boulevard, and for a row of trees between the sidewalks and the trafficways.

Sketch E illustrates the possibilities of a subway underneath the traffic-parkway at minimum cost for construction and with no damage to abutting property. The removal of the car tracks and the substitution of a subway would allow, according to this sketch, a width of 66 feet 6 inches for each strip of parking, including the sidewalks underneath the trees.

World-Famous Thoroughfares.

In creating a traffic-parkway such as that proposed between Market and Chestnut streets, St. Louis will be proceeding along lines of development which have been tested and proved in other cities. The width is not excessive as compared with what other cities have done. The wisdom of separation of fast and slow traffic has been demonstrated and is no longer questioned. The expected great increase of values on either side of the proposed traffic-parkway is based upon the experience of other cities. Paris has, in the world-famous Avenue des Champs Elysees, a thoroughfare 250 feet wide.

Philadelphia has planned the opening of a parkway from the City Hall to the Art Museum on Reservoir Hill and Fairmount Park, to be cut diagonally through existing blocks. This parkway is to be 300 feet wide, and the cost of it is estimated at between $7,000,000 and $8,000,000. Experts have reported that the increase of tax revenue due to the enhanced values of adjacent property will net enough to pay the interest on a bond issue for the full cost of the property condemned and to provide a sinking fund.

Some of the great thoroughfares of the world which have redeemed districts and greatly increased values of adjacent property are as follows:

The Avenue des Champs Elysees, Paris, 250 feet.
Reeperbahn, Hamburg, 210 feet.
Unter den Linden, Berlin, 190 feet.
Ring Strasse, Vienna, 185 feet.
Belle Alliance Strasse, Berlin, 160 feet.
Andrassy, Buda Pesth, 145 feet.
Avenue Henri Martin, Paris, 130 feet.

The Profit in Parkways.

Kansas City affords a nearby illustration of what can be done by a traffic-parkway. The Paseo of that city, a combination of traffic and parkway, redeemed a blighted district. It is now bordered by high-class improvements, which have taken the place of small, cheap structures. The property adjacent to the Paseo has doubled and trebled in value as the result of the improvement.

Commonwealth avenue in Boston affords another illustration of values given to abutting property by two trafficways with parking between.

The plan of Seattle, recently adopted by the Municipal Plan Commission of that city, provides for a central avenue 180 feet wide.

A significant fact bearing upon the central traffic-parkway proposition is the local condition at two points on the two-mile strip. The most valuable properties which it is proposed to condemn lie in front of the City Hall and in front of the Union Station. These two blocks in front of the City Hall with improvements are assessed at $601,970; the two blocks in front of Union Station with improvements are assessed at $694,245. The total of the four blocks, $1,296,215, is 31.5 per cent of the assessed valuations of the entire 21 blocks from Twelfth street to Grand avenue. The marked increase in values of the properties in front of the City Hall and in front of the Union Station are due largely to the civic center and to the transportation center. They safely indicate what may be expected for adjacent property in the way of increased values as soon as the central traffic-parkway is a certainty.

Union Station Surroundings.

Every public-spirited citizen of St. Louis has regretted the depressing influence of surroundings upon the stranger stepping out of Union Station. Many park and boulevard suggestions to remedy the situation have been made and urged. The central traffic-parkway will be more effective than any limited park or plaza. From the front of Union Station the stranger will look east or west as far as the vision extends along the double trafficway, the boulevard and the parking. The view will be such as no other American city affords the incoming stranger.

St. Louis has no park between Wash street on the north and the Mill Creek valley on the south. There is not in all this central section a spot out of doors which offers rest. The proposed improvement will give the city a park two miles long, narrow, to be sure, but of sufficient width for trees and grass, walks and seats. From the south and from the north these park facilities will be within easy walking distance of many thousands of those city dwellers to whom the shade and the green mean most.

Down-Town Dwellers.

All of St. Louis cannot live west of Grand avenue. There is a downtown population to-day. There will be a downtown population for generations to come. The people who must make their homes within the central strip and near its northern and southern borders

have rights to fresh air and to the other park benefits. This central parkway will recognize those rights for all time to come.

The opening of wide, tree-bordered thoroughfares and the establishment of large parks west of Grand avenue have made the St. Louis summer not only tolerable but agreeable to a large proportion of the population. The creation of spacious parkways east of Grand avenue will tend to similar conditions in that section and is justly due to the people who live there.

The primary reason for the traffic-parkway is found in the travel facilities which such a thoroughfare will afford the present and coming generations. From several other points of view the proposition is interesting and desirable.

A Section Without Parks.

The population between Lucas avenue on the north and the Mill Creek Valley railroad tracks on the south, Twelfth street on the east and Grand avenue on the west, as shown by the census of 1910, is 40,601.

To this may be added properly the population between Lucas avenue on the south and Cass avenue on the north, Twelfth street on the east and Grand avenue on the west. This resident population, according to the census of 1910, is 60,939.

According to the latest census, therefore, there are 101,540 people of St. Louis living within easy walking distance of the central traffic-parkway. And these 101,540 people are almost entirely without park benefits to-day. They have one park of a single block on Carr street and one of a single block on Glasgow avenue. They have two playgrounds, each of a single block.

Within the district bounded by Lucas avenue on the north, Mill Creek valley on the south, Grand avenue on the west and Twelfth street on the east there are 991 acres, showing at present a resident population of 41 to the acre. In other words, there are in this district 26,218 people to the square mile.

Within the district bounded by Cass avenue on the north, Lucas avenue on the south, Twelfth street on the east and Grand avenue on the west, there are 763.81 acres, showing at present a resident population of 79.7 to the acre. In this district there are 59,462 people to the square mile.

Density of Population.

The average population of St. Louis to the acre is 17.49, or 11,193 to the square mile.

The greatest density of population in St. Louis, as shown by the census of 1910, is in the immediate vicinity of O'Fallon and High streets, where the average is 162 to the acre. The next greatest density of population is in the vicinity of Biddle and Eighteenth streets, where the average is 148 to the acre. The third greatest density is in the vicinity of Thirteenth and Carr streets, where the average is 145 to the acre.

Here are the great melting pots of St. Louis. Here live these many thousands of St. Louisans to whom Forest, O'Fallon and Carondelet parks are almost unknown countries. Car fare is a financial problem with many. Park privileges must be within walking distance for them. To these considerable elements in the population the parkway offers that rest and recreation to which their citizenship entitles them.

The Night Problem.

In the central traffic-parkway the night problem of downtown St. Louis will find a solution. The boulevard, 50 feet wide, two miles long, cleared for swift traffic, bordered by trees and grass, provided with seats, amply lighted after dark, will become the most frequented and most popular thoroughfare in all St. Louis. Into it at Grand avenue will tie Lindell, West Pine and Forest Park boulevards. In and out of it at the Twelfth street end will flow night traffic such as the business district now knows only on one night of the year, that of the Veiled Prophet.

In Twelfth street to-day St. Louis has a fire guard of inestimable value. No conflagration driven east or west could cross that plaza. In the central traffic-parkway St. Louis would possess a like fire guard against flames driven by a north or a south wind. The large cities face continually the possibilities of spreading flames. They have endeavored to lessen this danger by resort to prevention in construction materials. Of more recent years, with the warning experiences of Chicago, Boston, Baltimore and San Francisco, the argument in favor of plazas or parkways dividing business districts into sections has become one of the strong incentives to the opening of these spaces. The central traffic-parkway would give a fire guard of two miles, impassable for any conflagration starting in the Mill Creek valley and driven northward, or for any spread of flames originating between Twelfth street and Grand avenue and moving southward before a north wind.

Evolution of a City Plan.

St. Louis fully recognizes the importance of planning for the future. The ordinance creating the City Plan Commission and defining its duties is evidence of it. The Commission is an evolution. For several years the Civic League and the various improvement associations of St. Louis have been devoting voluntary effort toward city planning. The Board of Public Improvements and the Municipal Assembly have taken important steps along the best approved lines in the direction of modern city planning. Public-spirited citizens formed what was called the City Plan Association. The members of that organization paid from their own pockets the expense of much investigation and of preparation of suggestions for a better St. Louis. They held many meetings and presented through an executive committee a valuable report upon the subject of city planning for St. Louis. The movement gained such strength through the volunteer work of citizen organizations and through practical steps taken by the Board of Public Improvements and the Municipal Assembly that the City Plan Commission was created by ordinance. The members of the Commission give their time and thought without compensation.

Growth of the City.

Half a century ago only three per cent of the population of the United States dwelt in cities. Now, as shown by the census of 1910, thirty-three of every hundred Americans live in cities of 8,000 and upwards. Including those communities below 8,000, the urban life of the United States is between forty-four and forty-five per cent of the entire population. In other words, 40,000,000 people now live in American cities and towns. More than 200 of these communities have taken up city and town planning to better the living conditions. These facts show the character of the problem and the magnitude of the movement.

Within the month just passed the fourth session of the National City Planning Conference was held in Boston. The conference was a body of mayors and other municipal officers, architects, landscape architects, city engineers and city plan commissioners from the principal cities of the United States and Canada. The keynote of utility was sounded early and often in the session. Arnold W. Brunner of New York defined the city planning movement in these words:

"The first impression we must overcome is that the city is to be

turned over to a number of artists who intend in some vague way to make it beautiful. City planning means the rational treatment of a city to promote the convenience and health of its citizens. A city plan will not be ruinously expensive and plunge the city into debt. It simply means the exercise of such prudence and forethought as are necessary to get the success of any business enterprise."

Utility, Comfort, Economy.

Frederick Law Olmstead, the chairman of the Executive Committee of the Conference, said at the beginning of the sessions city planning is "the intelligent control and guidance of the entire physical growth and alterations of cities; embracing all of the problems of relieving and avoiding congestion—congestion of people in buildings and of buildings upon land, congestion of transportation facilities, congestion in respect to the means of supplying light, air, water, or anything else essential to the health and happiness of the people, but also embracing in addition to the problems of congestion, each one of the myriad problems involved in making our cities year by year, in their physical arrangement and equipment, healthier, pleasanter and more economical instruments for the use of the people who dwell within them in carrying on the part of the work and life of the world which is not to be done in the open country."

Experts on St. Louis Problem.

In this spirit the conference worked through the three days' session. One session was devoted to "the problem of blighted" districts, which J. Randolph Coolidge, Jr., described as "districts in which land values after a period of increase are stationary or falling." The conditions of two blighted districts of St. Louis and the treatment of them proposed by the City Plan Commission were laid before members of the conference for criticism. The suggested combination of traffic and parkways from Twelfth street westward to Grand avenue was explained. As to the redeeming influence of this plan upon the whole district now suffering there was no difference of opinion among the city planners. Other cities have met conditions similar to those which exist between Twelfth street and Grand avenue and have found that a great thoroughfare similar to that in contemplation by the City Plan Commission of St. Louis has quickened values in the district to a surprising degree. The payment of benefits by installments distributed through a series of years was strongly

recommended by the city planners in their consideration of the practicability of the St. Louis traffic-parkway.

Other Cities Moving.

Boston, New York and Philadelphia are opening new and widening old streets in the congested or blighted districts at the cost of many millions of dollars to remedy their local conditions similar to those which affect the St. Louis district between Twelfth street and Grand avenue. It was stated that Boston's plans for new or wider streets, including what has been spent recently, will cost over $30,000,000. For a third of a century Boston has had under consideration a thoroughfare directly connecting the two great terminals. But during this time property values have been increasing, and now such a main trafficway will cost enormously. The regret of the Boston authorities is that the thoroughfare was not put through between the terminals when the necessity for it was first felt.

Mr. Coolidge is a member of the Metropolitan Plan Commission created by the Massachusetts Legislature. In an address before the conference upon this subject of blighted districts, he said:

Conservating Values.

"City planning has new functions more important than the conservation and restoration of impaired land values. All that public authority can lawfully do to make life more agreeable in such districts should be done rather than in those that pay a larger share of the taxes or have an increasing population. No city is well administered unless the whole of it is well administered. Where private capital halts and dreads the risk, and feels no responsibility for future conditions, public credit must be applied, and declining values, social and economic, must be supported until they can stand alone, for the city, unlike a business enterprise, cannot liquidate, it cannot discard its unprofitable lines. It must grow, it must change, but it must not depreciate."

Improvement in the approaches to and in the thoroughfares through blighted districts comes first in the remedies suggested by the experts in city planning. By the widening of streets, by the planting of trees, by the creation of open spaces and squares, by playgrounds and small parks, other cities are redeeming their blighted districts.

Counting the Cost.

One of the most important sessions of the City Planning Conference was that devoted to the problem of "paying the bills for city improvements." Nelson P. Lewis, chief engineer of the Board of Estimates and Apportionment of New York City, opened the session with a strong argument, in the course of which he said:

"One principle should be invariably recognized; namely, where there is local benefit there should be local assessment." He said that a change in the laws of New York which enlarged the power of local assessment on property most benefited had worked advantageously. In the widening of residential streets the experience of New York taught that the cost should be assessed against abutting property. But in the case of thoroughfares of greater use, the assessment district should be extended beyond abutting property.

Mr. Lewis enlarged on the benefits which immediately follow city improvements by showing "that property jumped in value in seven years beyond the normal increase in Manhattan and the Bronx, as a result of the first subway, $85,000,000. The cost of the subway passing through that portion affected was $13,000,000, and the cost of the entire subway was $43,000,000, so that if the property owners affected had paid for the entire subway they would have cleared $37,500,000, even allowing for an interest charge of six per cent until their profits were realized."

The Assessment Principle.

Concluding his address, Engineer Lewis said: "A desire for something which involves no direct cost is not a sign of intelligent interest. We are learning that the improvement of our cities pays. That is a hopeful sign. If we have simply reached the stage where we want better conditions only if some one else is to pay the bills, the hope has not a very substantial basis. If we want them badly enough to pay for them ourselves in proportion to the benefit we feel sure will follow, we are making real progress."

Street Commissioner Gallivan of Boston gave the conference several illustrations, notably that of the widening of Avery street, which had greatly increased values in Boston. He stated that this Avery street improvement had been followed by the creation of a new retail center and that the increase in values of taxable property would in a short time cover every expenditure which the city had made for the improvements. Answering the question, "Who shall pay the cost

of city planning?'' Commissioner Gallivan said: ''I see no good reason why the millions spent by American municipalities for public improvements should not be returned in generous proportion by land owners who reap such tremendous resultant profits.''

City Planning Conclusions.

At the close of the last session the National Conference adopted the following as the city planning conclusions reached in the experience of those composing the body:

''Where there is local benefit there should always be local assessment on the land benefited.

''The entire city, or the metropolitan district, should bear no part of the expense unless the improvement is in some degree of metropolitan importance and benefit.

''Assessments should not be confined to the cost of acquiring and improving streets, but should extend to any improvement which will increase the value of the neighboring property, and should be apportioned as nearly as possible according to the probable benefit.

''A workable policy once adopted should be consistently adhered to.''

Of the sixteen largest cities in the United States St. Louis to-day ranks fourth in population and twelfth in indebtedness in proportion to population. The 687,029 St. Louisans are carrying a debt of only $35.49 per capita. Only four of these sixteen largest cities have a smaller debt in proportion to population than St. Louis. This remarkable showing is due in the main to the wisdom of former generations of St. Louisans in the matter of expenditure for parks.

St. Louis' Distinction.

An analysis of the municipal debts of the other large cities of the country shows that their obligations were incurred largely for the acquisition of park property. In the case of St. Louis, land for parks was obtained in advance of the growth of the city at prices which now seem insignificant. This city for many years enjoyed the distinction of having the greatest park acreage in proportion to population of any city in the United States. That distinction was obtained by the purchase of land for large parks thirty-five years ago, long before the city had grown to actually need these parks. The price per acre paid for Forest Park was only $620.

The same argument which prompted the people of St. Louis thirty-five years ago to acquire Forest, O'Fallon and Carondelet parks applies now to the proposed traffic-parkway. The property to be condemned can be acquired to-day at very low prices when immediate and future benefits are taken into consideration. These prices average much lower to-day than they have for many years. They prompt speedy action if there is merit in the plan to redeem this central section of the city from its present degradation and to insure for the future the character to which its location entitles it.

A Wise Generation.

The foresight of those who planned and legislated in 1870-80 for the future St. Louis gave the city not only Forest, O'Fallon and Carondelet parks, but widened to one hundred feet the narrow country roads now known as Kingshighway, Union and Delmar boulevards. The ground for this additional width was taken at acre prices from farms. If the petitions and arguments of real estate men had been accepted in 1850-60 by the authorities, Grand avenue, as laid out then, would be to-day 150 feet wide instead of the eighty feet, already suffering from congestion in the vicinity of Olive street.

The ordinance creating this body further directs the City Plan Commission "to suggest the State and municipal legislation necessary to carry out the recommendations of the Commission."

In conformance with this provision the City Plan Commission has held conferences with the Board of Public Improvements and with the Law Department of the City of St. Louis. The Law and Legislation Committee of the Commission is conducting a thorough investigation of such sections of the charters of other cities as relate to improvements of the character contemplated for St. Louis. Legislative enactments conferring elsewhere municipal powers which St. Louis does not possess are being examined as to their practical operation. These inquiries are being made thoroughly and are progressing satisfactorily.

Legislation Needed.

The members of the Commission are unanimously of the opinion that the city planning movement upon which St. Louis has entered may be greatly expedited and made far less burdensome by action of the Missouri Legislature at the coming session and by amendments to the city charter at the municipal election of April, 1913. The prepara-

tion of the provisions to be presented to the Legislature and of charter amendments to be submitted to the voters has been undertaken. The definite suggestions of the Commission as to the needed additions to the municipal powers will be laid before the Municipal Assembly.

The Commission is strongly impressed with the conviction that the city authority in the matter of acquisition of property for park and boulevard purposes should be strengthened and should be more clearly expressed. The Commission believes that in such acquisition the power should be conferred on the Municipal Assembly to give the property owner upon whom benefits are assessed the privilege of meeting such assessments in installments, distributed through such series of years for each case as the Assembly in its judgment may deem just.

The Commission urges such legislation as shall divide the cost of the proposed improvements between the adjacent property owners and the whole city on an equitable basis.

In entering upon the practical details of this extensive movement for betterment of St. Louis the Commission realizes that the municipal government will proceed more expeditiously and with greater satisfaction to property owners and the people generally if the legal basis is made sure and the interests of all are recognized and protected in the legislation suggested.

Respectfully,

C. P. WALBRIDGE, *Chairman.*
J. H. GUNDLACH,
J. H. SOMMERICH,
MAXIME REBER,
JAMES C. TRAVILLA,
DWIGHT M. DAVIS,
GEORGE E. KESSLER,
HUGO A. KOEHLER,
PHILIP C. SCANLAN,
COLIN M. SELPH,
CHAS. A. STIX,
HARRY B. WALLACE,
THOMAS C. YOUNG.

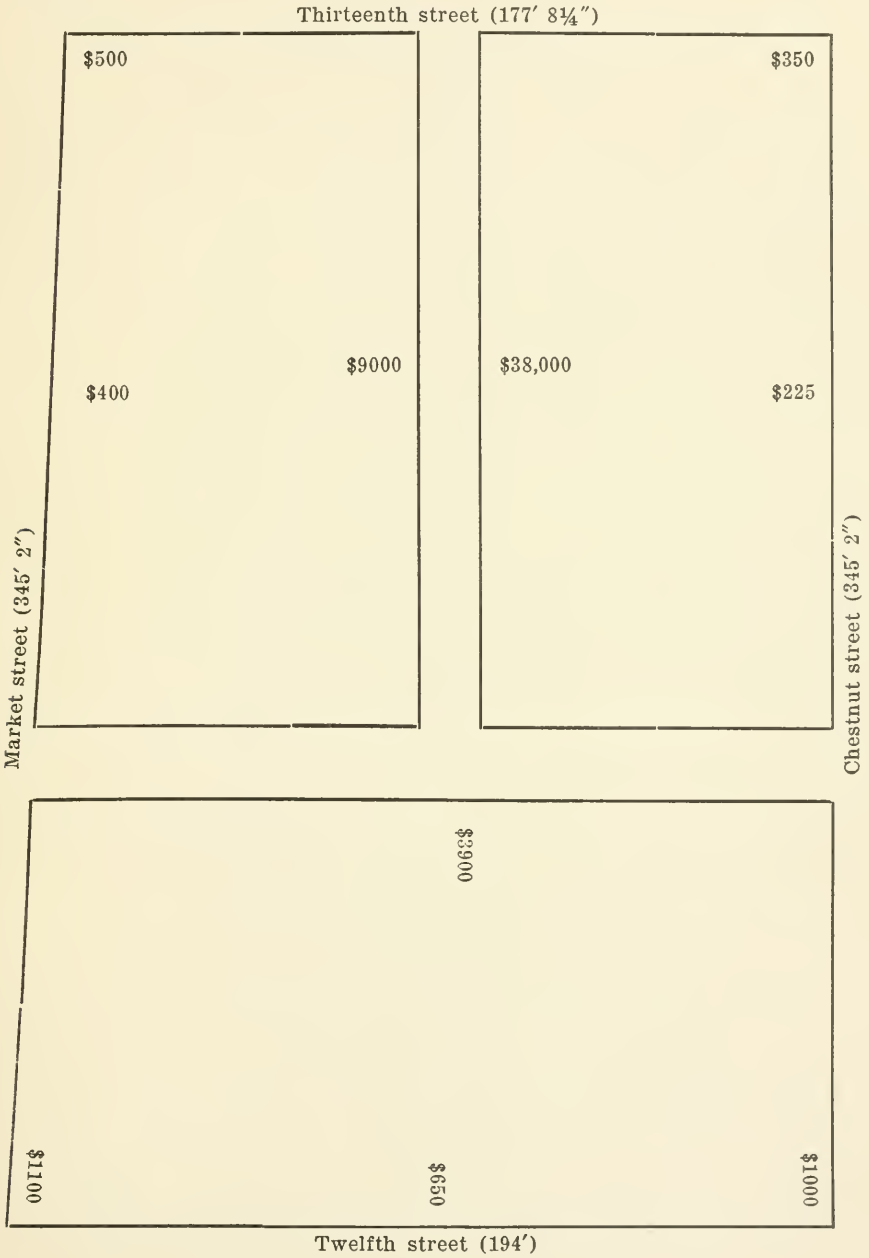
WALTER B. STEVENS,
Secretary.

July 9, 1912.

PLATS OF BLOCKS RECOMMENDED FOR CONDEMNATION.

The amounts on corners indicate the assessor's valuations (for taxes of 1912) per front foot of ground for lots of 25 feet frontage. The amounts in middle of blocks indicate the assessor's valuations per front foot of ground for remainder of frontage.

Amounts in center of blocks indicate the assessor's total valuations of improvements on that portion of each block within street and alley lines shown.



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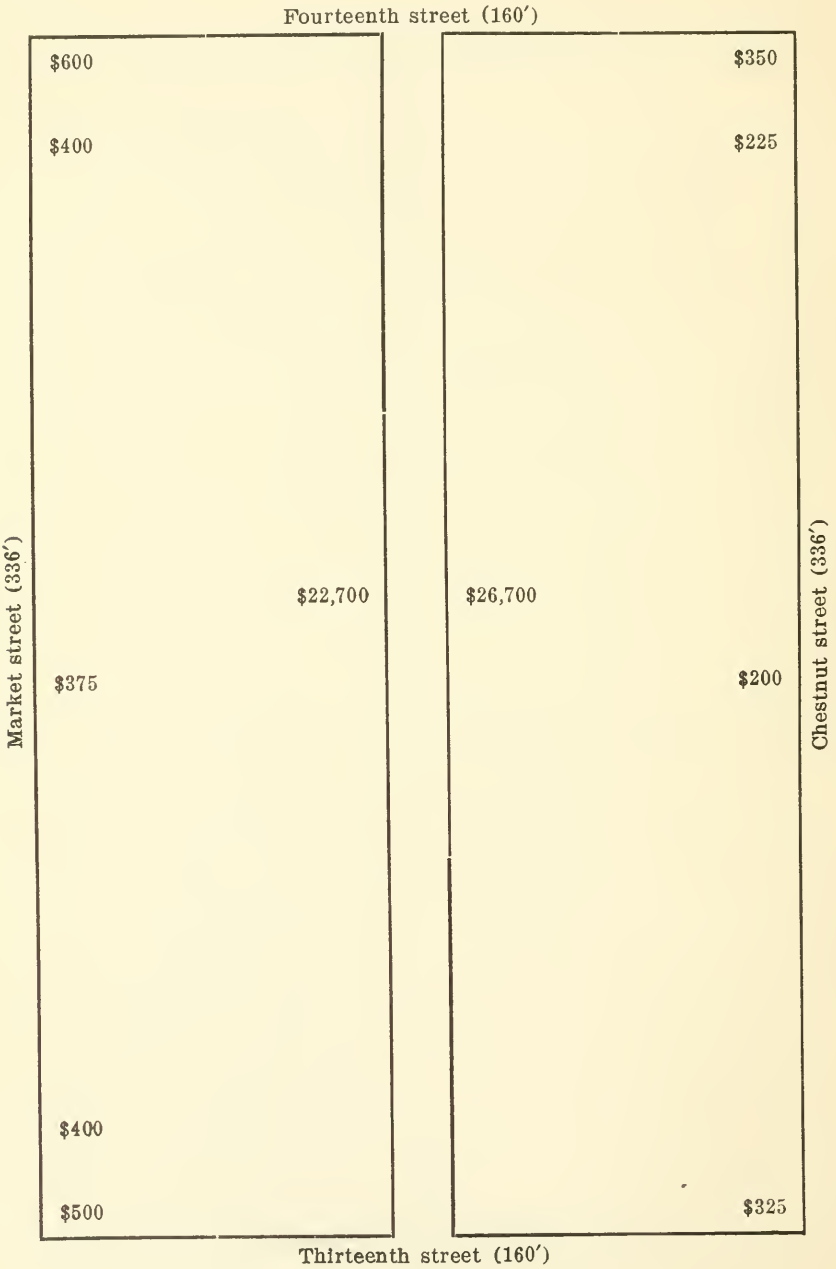

MUNICIPAL COURTS, FOURTEENTH AND MARKET STREETS

MARKET STREET, FRONTING MUNICIPAL COURTS

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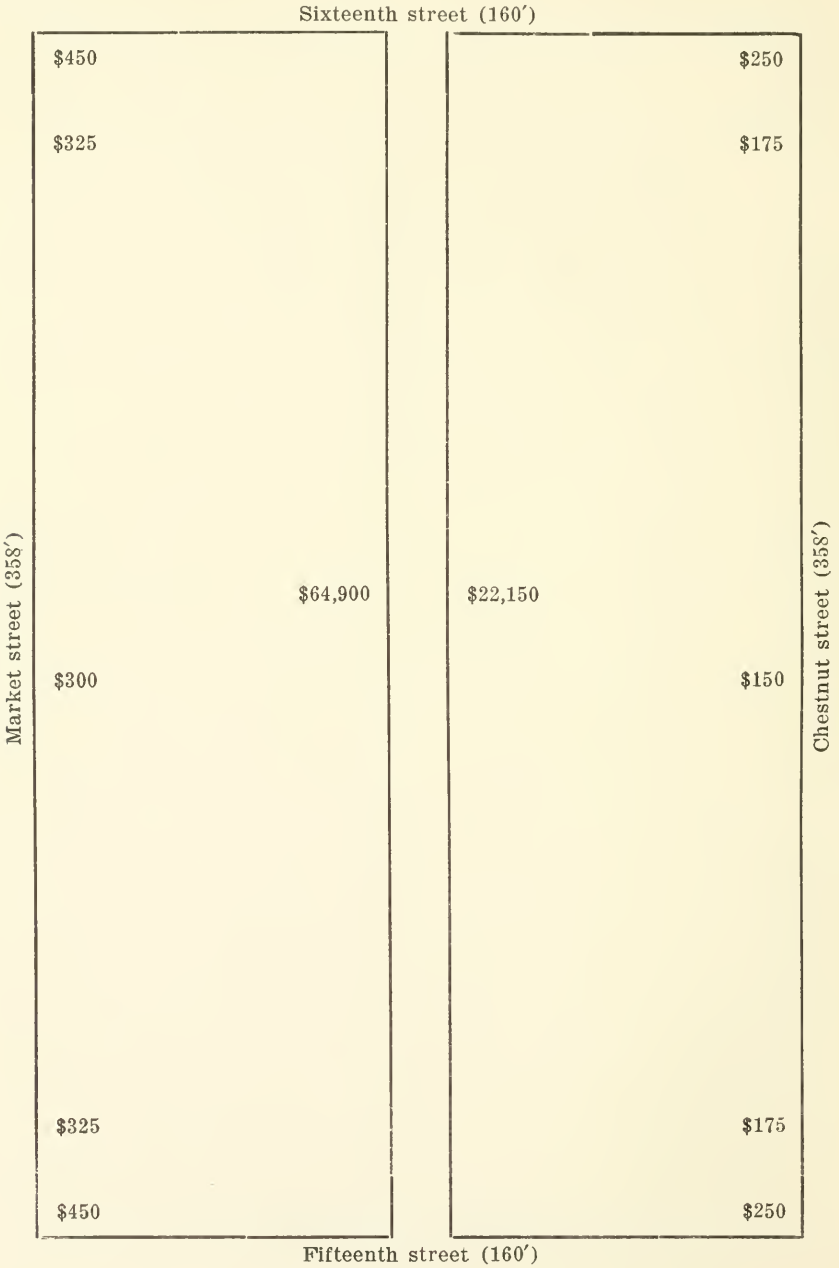

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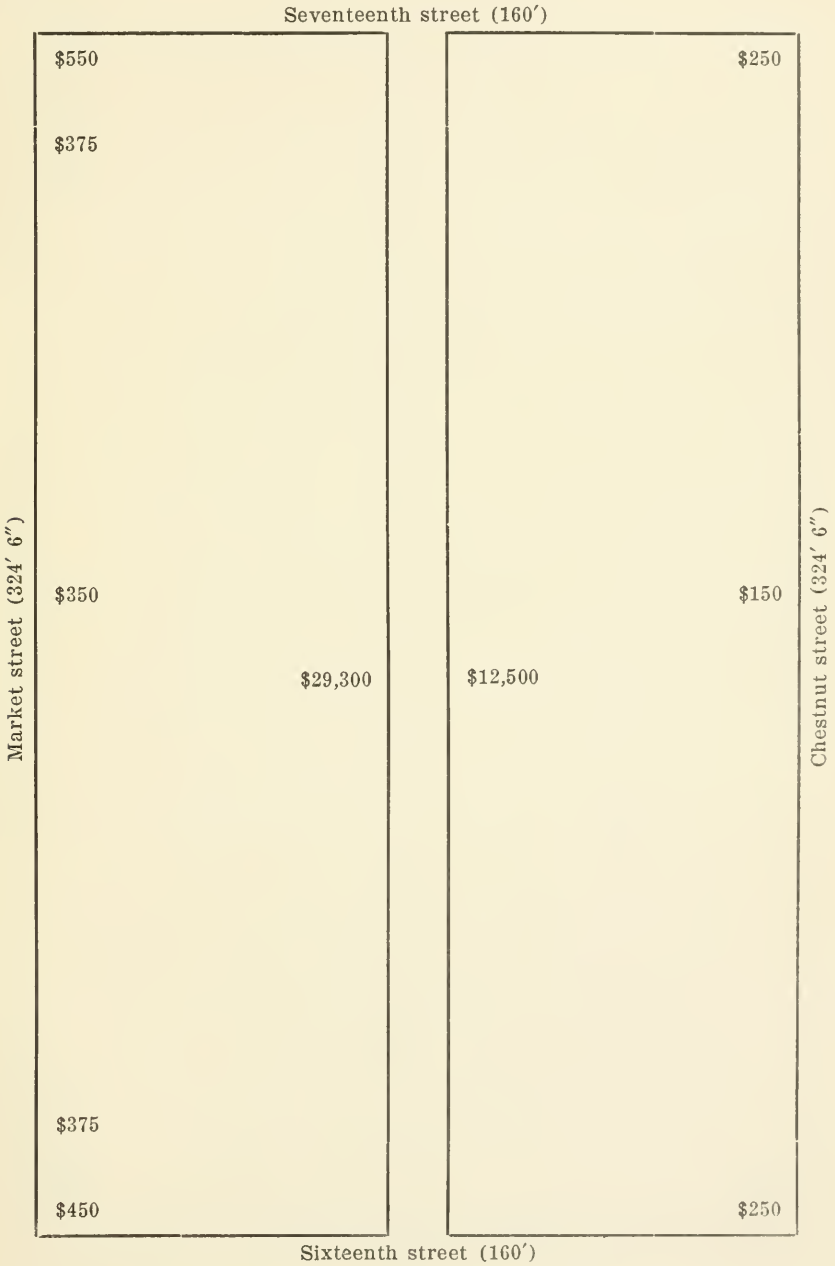

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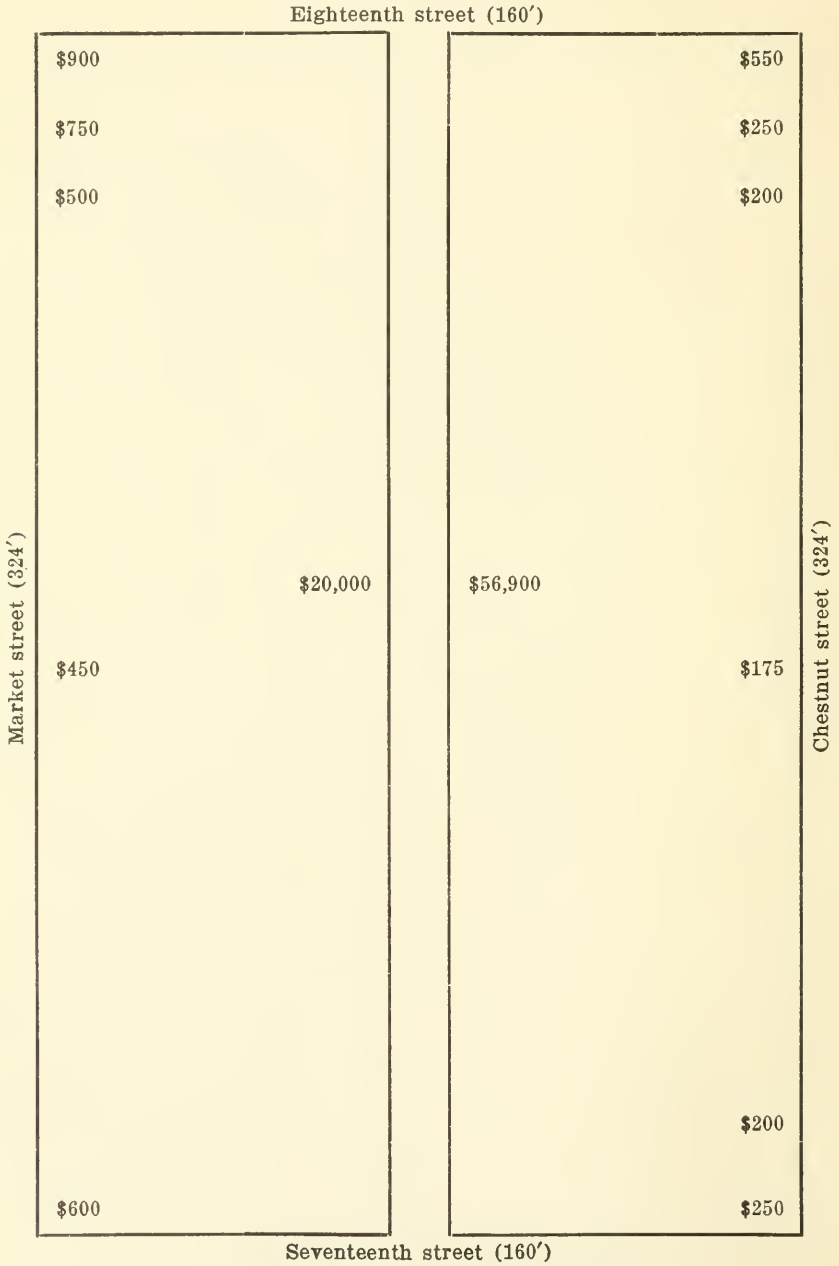

CITY HALL, TWELFTH AND MARKET STREETS

TWELFTH STREET, TERMINUS OF TRAFFIC-PARKWAY

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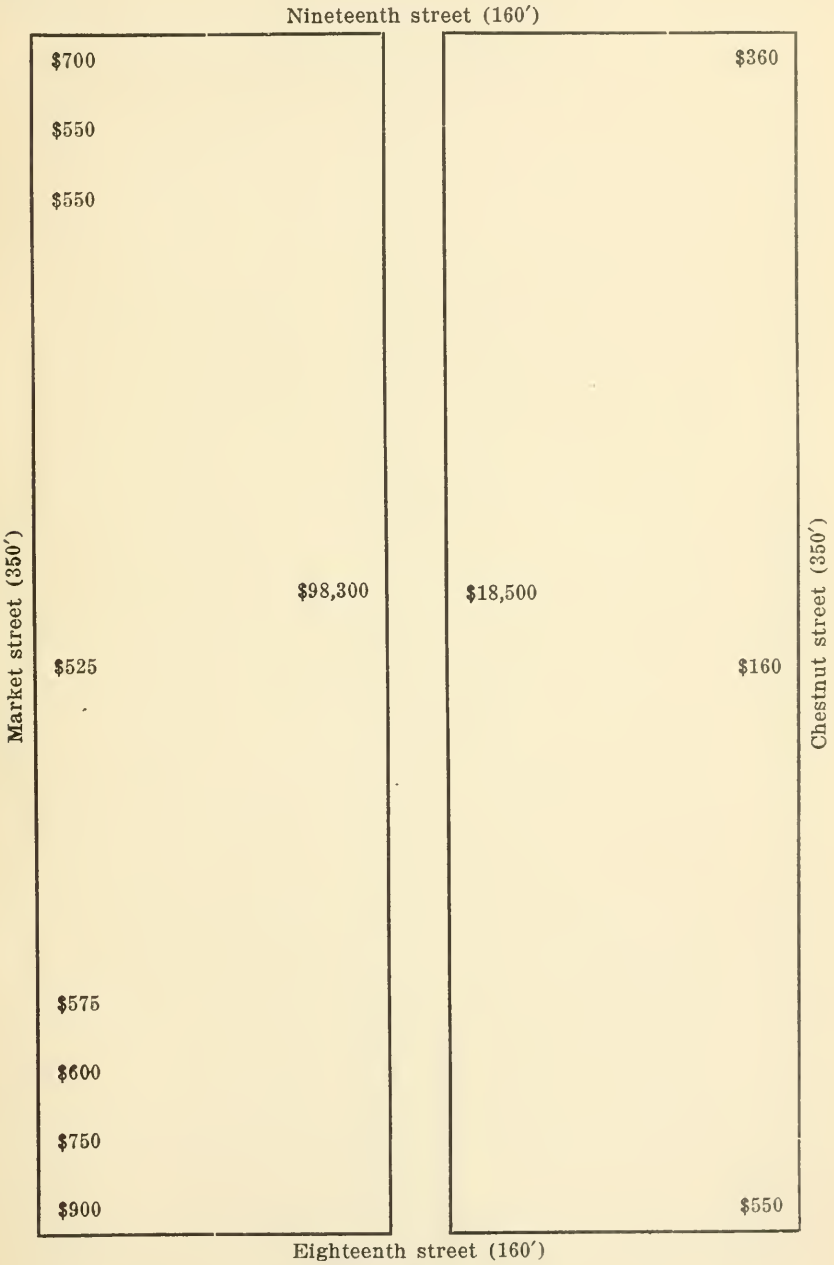

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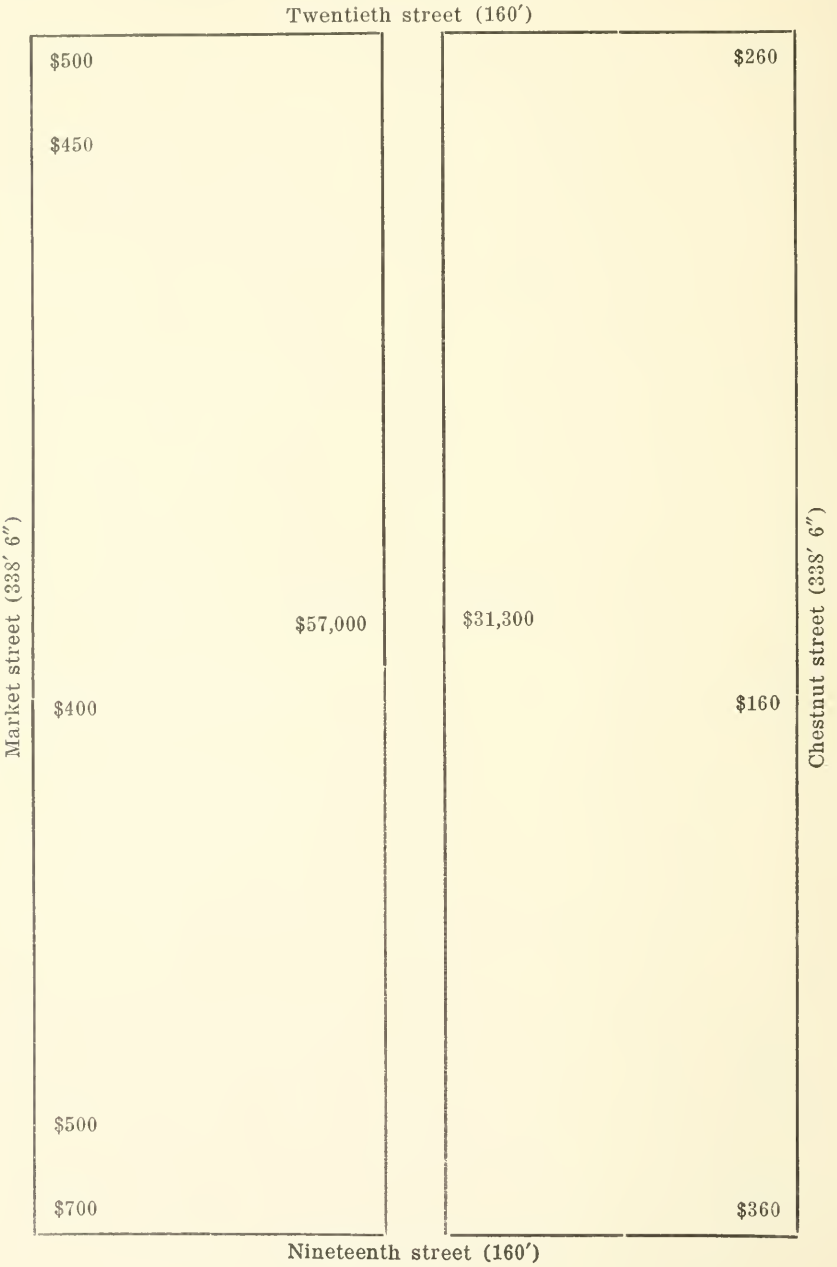

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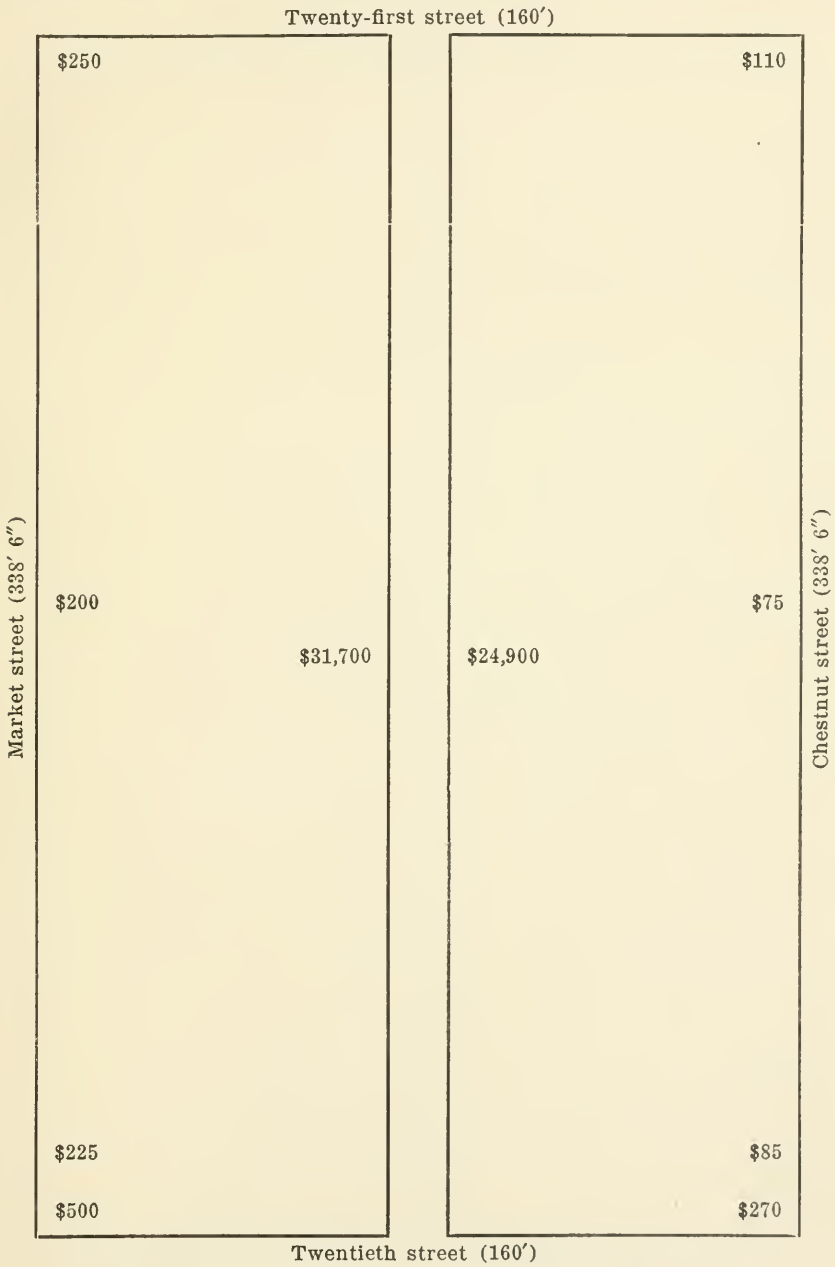

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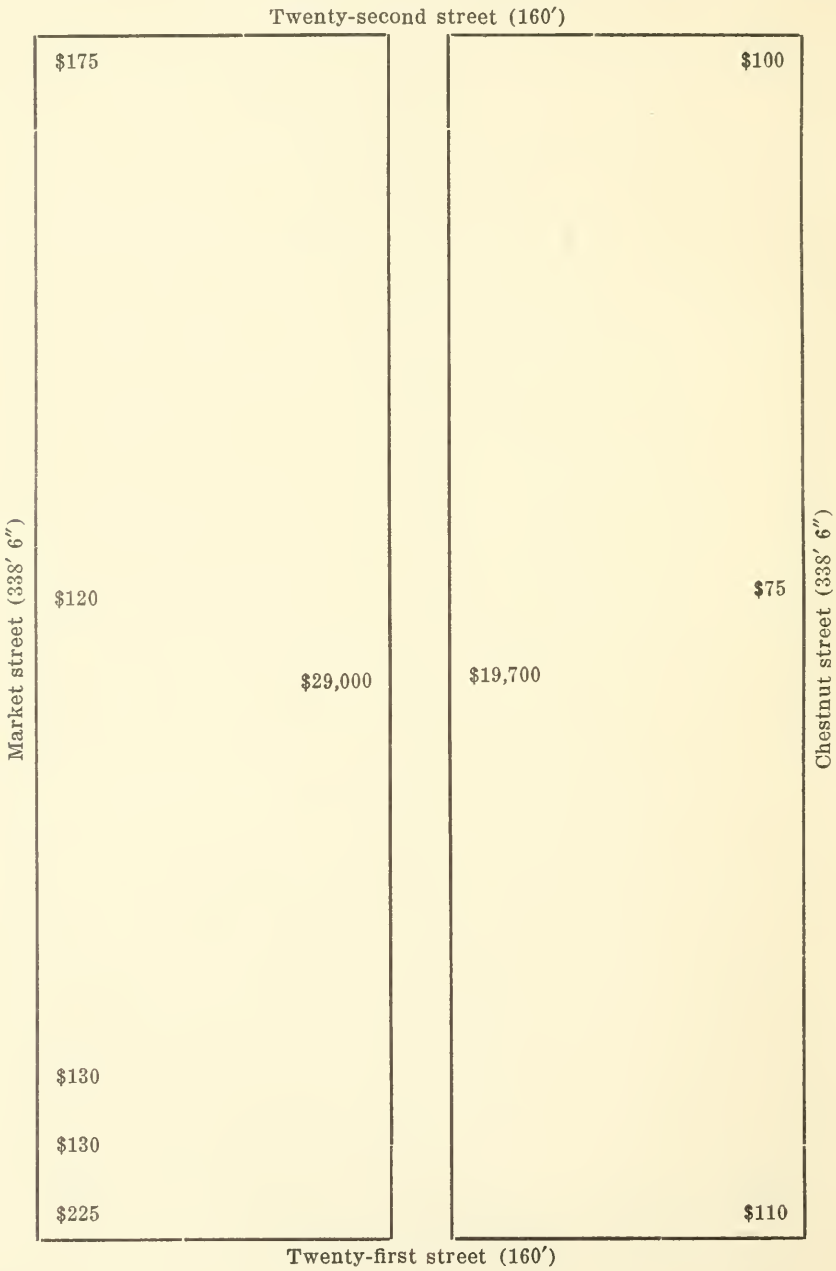

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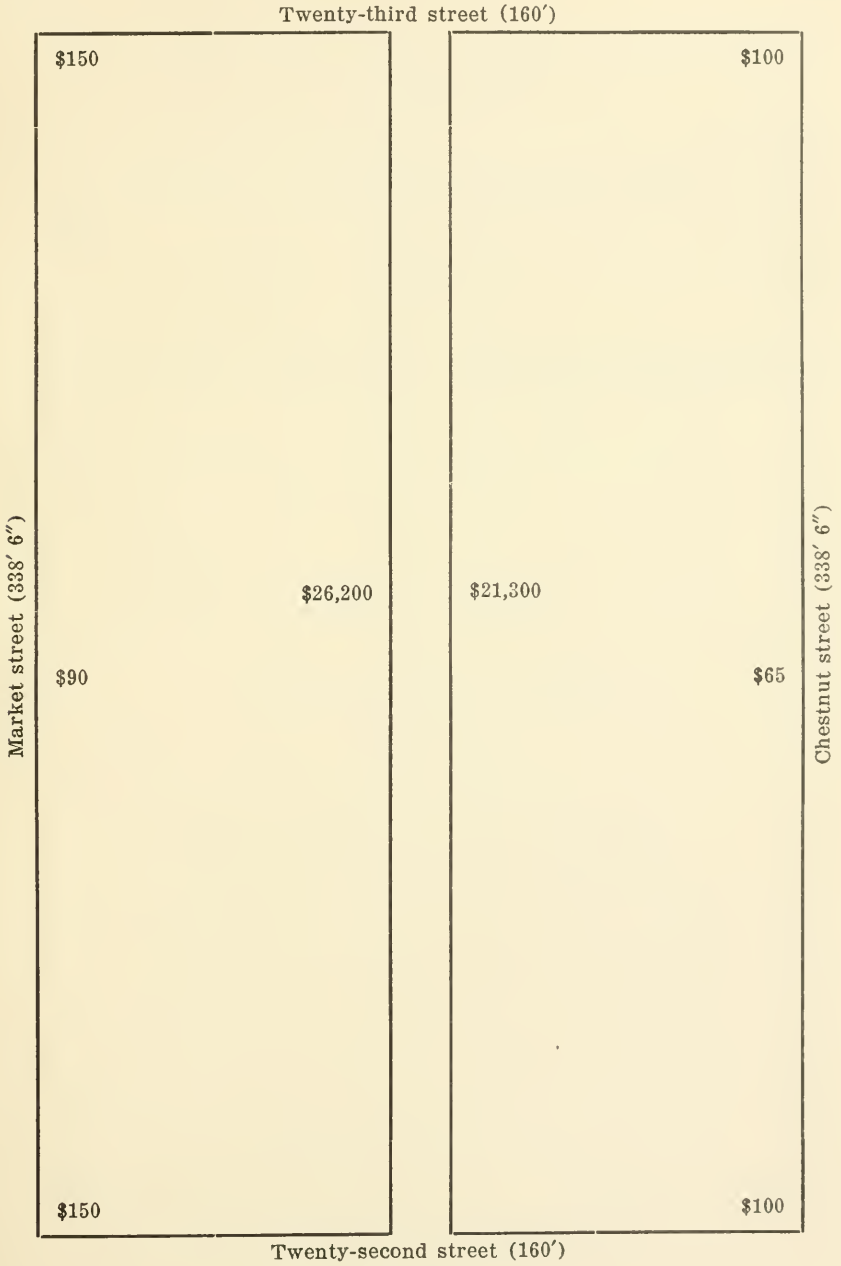

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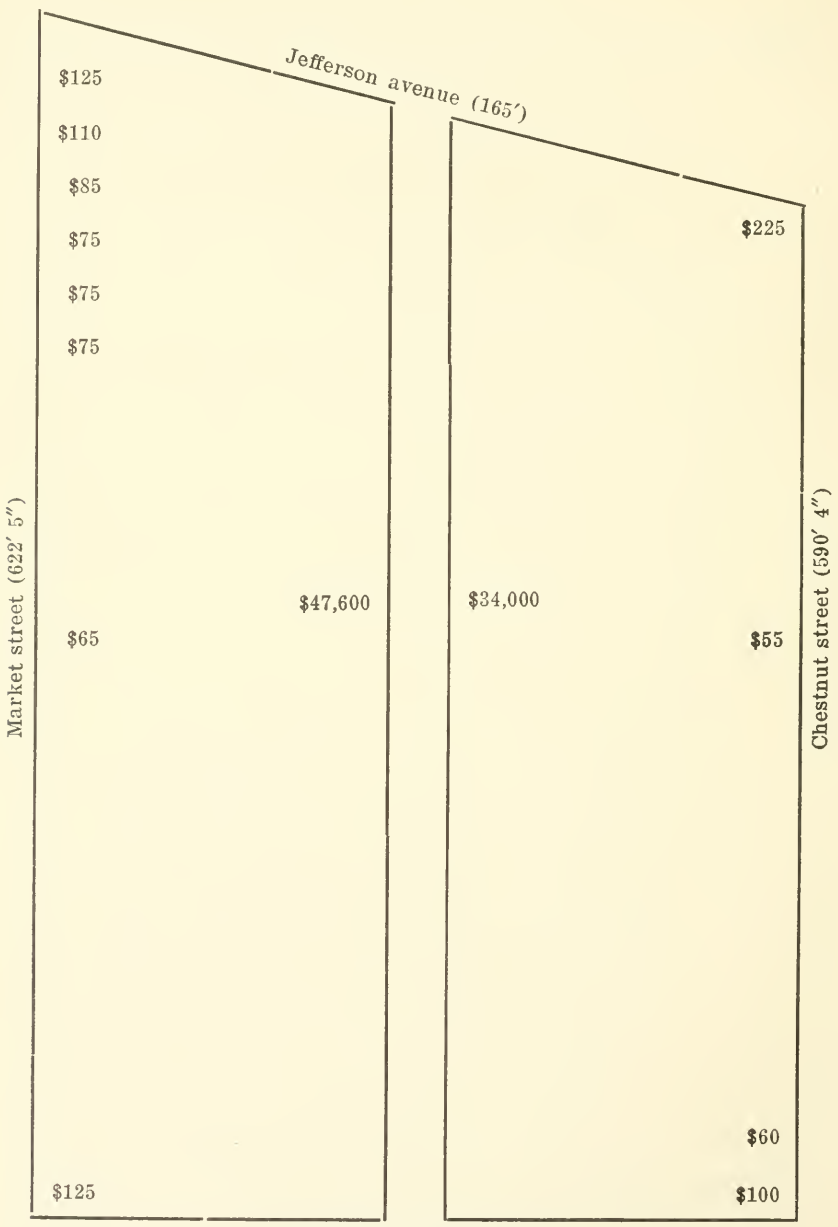

CHARTER AMENDMENT

ESTABLISHMENT

OF

PARKS AND PARKWAYS

RECOMMENDED

BY THE

City Plan Commission

JANUARY, 1913

218505

City Planning has been defined as "The art of so arranging streets and public places that privately owned land may be put to its best use."

CHARTER AMENDMENT

REPORT OF THE CITY PLAN COMMISSION, JANUARY 7, 1913.

To the Honorable Municipal Assembly of the City of St. Louis—
Gentlemen:

Under Ordinance 25,745, approved March 27, 1911, it is the duty of the CITY PLAN COMMISSION "To suggest the state and municipal legislation necessary to carry out the recommendations of the Commission."

In the report submitted July 9, 1912, to the Municipal Assembly conclusions of the Commission upon the subject of necessary legislation were stated generally as follows:

"The Commission is strongly impressed with the conviction that the City authority in the matter of acquisition of property for park and parkway purposes should be strengthened and should be more clearly expressed. The Commission believes that in such acquisition the power should be conferred on the Municipal Assembly to give the property owner upon whom benefits are assessed the privilege of meeting such assessments in instalments, distributed through such series of years for each case as the Assembly in its judgment may deem just.

Division of Cost.

"The Commission urges such legislation as shall divide the cost of the proposed improvements between the adjacent property owners and the whole city on an equitable basis.

"In entering upon the practical details of this extensive movement for the betterment of St. Louis the Commission realizes that the Municipal government will proceed more expeditiously and with greater satisfaction to property owners and the people generally if the legal basis is made sure and the interests of all are recognized and protected in the legislation suggested."

In accordance with these conclusions the CITY PLAN COMMISSION recommends the passage of an ordinance submitting an amendment

to the charter of the City of St. Louis. The draft of this ordinance prepared by the City Counselor is transmitted herewith. It provides that the charter shall be amended by adding a new article to be known as Article XVII.

Consideration of the proposed amendment was undertaken by the City Counselor and the Law and Legislation Committee of the City Plan Commission immediately following the submission of the report on the Central Traffic-Parkway in July last. The provisions of the amendment are the results of several months of thorough investigation. The experience of other municipalities has been sought. Decisions of the courts, especially those of Missouri, upon questions involved, have been consulted. No effort has been spared to formulate legal and equitable methods of procedure.

Purpose of the Amendment.

Article XVII, if adopted, will in the judgment of the City Plan Commission make possible the gradual development of a system of parks and parkways reaching every section of the city. Such a system will benefit the entire population, will insure stability of values in both business and residence localities and will redeem those districts where depreciation has already set in.

The recommended addition to the charter does not establish any park or parkway. It confers no power upon the City Plan Commission. It provides the method whereby St. Louis, through the present municipal organization, may establish a complete system of parks and parkways without imposing unjust burdens upon the municipality or upon the individual property owners. Recommendation rests with the Board of Public Improvements and legislation must come from the Municipal Assembly.

There are twenty-six sections in the Article. Section Nine provides for the equitable division of cost of these improvements between the City generally and the property in the district benefited. Under this section the jury of freeholders "Shall assess against the City the amount of benefits to the public generally, inclusive of any benefit to the property of the City within the benefit district defined, exclusive of public highways, and shall assess the remainder against each and every lot, piece and parcel of private property, exclusive of buildings and improvements thereon, within the benefit district, if any benefit is found to accrue thereto." This is one of the essential features of the article.

The Instalment Plan.

Section Fifteen is devoted to another vital feature. "Assessments shall be payable in one instalment or in such number of instalments as may be determined by the Municipal Assembly, upon the recommendation of the Board of Public Improvements, such determination to be declared in the ordinance of the Municipal Assembly under which said proceedings are instituted."

This Section provides for payment of benefits by instalments distributed through a series of years. The instalment plan has been tried out in other cities with uniform success. Under the operation of it a property owner can at any time take advantage of increasing values due to improvements and is not burdened by being compelled to pay his assessment at one time. Instalments become due on the 30th of June each year, but may be paid at any time previously. They bear interest at the rate of six per cent until there is default when the rate becomes eight per cent.

Duties of City Officers.

Sections Sixteen to Twenty-two prescribe in detail the powers of the Municipal Assembly and the duties of the Comptroller and the Treasurer in the issue and sale of park fund certificates based upon the instalment assessments. These certificates are so safeguarded that they become at once desirable securities for trust funds and readily command par, according to the experience of other cities. By the issue and sale of such certificates improvements are expedited and adjacent property realizes quickly the influence of such improvements on values.

Section Twenty-two outlines the court procedure to expedite and consummate the possession of the property to be improved by the City.

Parks and Parkways Forever.

Section Twenty-three provides that "The lands which may be selected and obtained under the provisions of this article shall remain forever for parks and parkways for the use of all the inhabitants of said City."

By Section Twenty-four the City pays the cost of proceedings under the Article.

Section Twenty-five gives the Municipal Assembly power by ordinance recommended by the Board of Public Improvements to regulate traffic on all parkways and provide for paving, planting of trees and shrubbery, for laying out of traffic-ways and walks on all parkways.

Sections One to Nine empower the Municipal Assembly to pass ordinances recommended by the Board of Public Improvements for the establishment of parks and parkways, and set forth the legal procedure for hearings, for the selection of juries of freeholders to determine values and benefits and for appeals from the findings of such juries.

Evolution of Park Benefits.

Every dweller in St. Louis is entitled to have park benefits within half a mile of his domicile. He should live within five minutes walk of grass and trees. A generation ago the park was the luxury of the few. It was the breathing spot to be enjoyed on holidays and in hours of recreation. The park of the present is a daily necessity of urban life. It is frequented now by the many. Its uses have multiplied rapidly. They are not limited to any one season of the year. A few years ago the parks were deserted in cold weather. Now even in midwinter they are sought for outdoor sports. More and more the city dwellers are becoming dependent upon parks and playgrounds. And more and more these provisions are becoming essential utilities for the moral, as well as the physical well-being of the community. They rightly include those facilities and encouragements to physical exercise without which our city's population must inevitably degenerate. They contribute through bath houses and bathing pools not a little to good health.

Unequal Park Distribution.

St. Louis has over sixty square miles of territory and less than five miles of parks and playgrounds. Of the forty-six tracts, great and small, which constitute the park area of St. Louis, only fifteen were purchased by the City. The other triangles, squares, places, playgrounds and parks were gifts or were reserved at no cost from the City Commons.

Of the 2,740 acres of park area possessed by St. Louis less than 150 acres lies east of Grand avenue. With the comparatively recent acquisitions the western part of St. Louis, when connecting parkways

shall have been established, will be fairly well provided with park benefits. But much more is due the 250,000 people who live east of Grand avenue and between the small parks of North and South St. Louis. The needs of the great central district of the city are pressing. Recent purchases and development of half a dozen playgrounds have served to show these needs in strong light.

A Southwest Athletic Field.

The transformation of Fairground into a great athletic field, with its swimming pools in summer and skating ponds in winter, its tennis courts and baseball diamonds, its running tracks and other facilities prompts at once the suggestion that the southwestern part of the City should have at the earliest practicable date an athletic field of like generous proportions and intelligent development, somewhere near Grand avenue and between Tower Grove and Carondelet parks. To a river front park the sentiment of the City is strongly committed. Three radial traffic-parkways should be opened from Twelfth street plaza, one northwest to Fairground and O'Fallon park, another west to Grand avenue to connect with Lindell, West Pine and Forest Park boulevards, and a third southwest from Twelfth street to a great athletic field on Grand avenue and thence to the city limits.

Fairground Object Lesson.

An object lesson in the material benefits which rapidly follow such improvements as these is offered St. Louis in the Fairground experience. That tract of 129 acres was purchased four years ago by the City for $700,000. The transformation of Fairground into a park has been attended by a very considerable advance in values of property, the influence being felt a distance of several blocks. These increases range from twenty-five to fifty per cent. The district affected by the establishment of this park was occupied previous to the change in part by moderate and even low priced improvements. There was much ground entirely vacant. Since the transformation to park uses much of the vacant ground has been built over by a class of improvements far better than the previous average. Upon one block fronting this new park there has been expended the current season $100,000 in improvements. In the opinion of experts the increase of values to real estate attributable to the establishment of this park will in a few years fully reimburse the City for the cost of the acquisition.

The Beginning.

A generation may be required to work out such comprehensive plans for parks and parkways as have been indicated in this report, but present conditions encourage the beginning. The passage of the ordinance herewith recommended will be a step forward.

Respectfully,

C. P. WALBRIDGE, *Chairman.*
J. H. GUNDLACH,
J. H. SOMMERICH,
MAXIME REBER,
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HARRY B. WALLACE.
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WALTER B. STEVENS,
Secretary.

January 7, 1913.

HEARINGS OF THE CITY PLAN COMMISSION BEFORE LEGISLATION COMMITTEES OF THE MUNICIPAL ASSEMBLY

Remarks by Chairman Walbridge.

Perhaps it would be well enough to start with the foundation of the Commission. Doubtless you are all familiar in a general way with it, but I would like to call your attention to the fact that the Commission is an official body of St. Louis. It is not a volunteer body. It is organized under Ordinance 25,745, which authorizes the appointment of the Commission. The President of the City Council, Speaker of the House, President of the Board of Public Improvements, Street Commissioner, Park Commissioner and Commissioner of Public Buildings are ex-officio members. Nine citizens are appointed by the Mayor in addition to these ex-officio members.

The Commission is a part of the municipal machinery with powers only to recommend. We were appointed and directed by the Municipal Assembly to investigate certain things which can be done for St. Louis to make it a better place in which to live and to make it more prosperous. The Commission is authorized to look into and investigate everything with reference to railroads, parks, boulevards, making of new streets, and laying out of subdivisions. Under the ordinance the Commission is requested to investigate practically anything that can be of interest to the citizens at large. We have been organized about a year and a half. We have not done much that shows on the surface, but that does not mean that we have been idle. To form a plan as this ordinance directs—to form a plan for the future development of St. Louis in its business, in its parks, in its boulevards, transportation system, etc.—is too big a job to be done rapidly. But we have not been idle. We have been making a good deal of investigation in other cities. We have had many consultations; have made many trips about the City for investigation, and we finally have come to a point where we are ready to make a definite recommendation, not for the general plan, Mr. Chairman, but for a part of a plan which will fit into any general plan which may ultimately adopted. But before we can carry this into effect, this plan.—as recommended in this report to the Municipal Assembly for the opening of this parkway between Market and Chestnut streets, and

from Twelfth street to Jefferson avenue,—we find that before that can be carried into effect there must be a change in the organic law; that is, in the charter affecting the assessment of property and the assessment of damages and benefits. So this ordinance has been prepared asking the Municipal Assembly to submit to the people an amendment to the charter giving this power to the City. The ordinance was drafted by City Counselor Walther, who, in connection with Mr. Pearcy, his assistant, spent not weeks, but months investigating the work in other cities, studying our own conditions, to work out an amendment which as far as possible will meet every contingency and fairly protect every citizen.

Now, the substance of this amendment is to empower the City to assess by districts. If this ordinance passes and the amendment is adopted by the people, the Municipal Assembly will have the power to lay out a district which will be more or less benefited by this change, and the assessment will cover the entire district. The Municipal Assembly will have the power to say that a certain portion of this expense shall be charged to the City direct on the theory that the entire City and every person in it will be benefited some by this change and that a certain district will be more immediately benefited. That is one important change. Another is, the Municipal Assembly may provide that the special taxes shall be paid or may be paid in instalments instead of at one time. The number of instalments shall be determined by the Assembly. This charter amendment simply gives the Municipal Assembly the power to make that provision. The number of instalments and the amount of each instalment and all the details are to be worked out by the Municipal Assembly in each case. Under the present city charter you haven't the power to do that. That is the substance of the change.

The amendment is very long. It is objected to by some members of the Commission because of its length. In old times we used to think that the constitution or a charter of a city—that is, the fundamental law, the organic law—need only to say enough to indicate the powers conferred upon the legislative departments. Now we could have done that in two short paragraphs, but you know conditions are changing and the people are demanding the organic law shall go more into details as to all matters. This proposed amendment goes into almost every detail, explaining how the assessments shall be made and how the payments shall be made. The effort has been to place before the citizens everything which can be of interest to them so that they may know what are their rights under the amendment.

Another change that this amendment makes in the law is the method of assessing benefits. In condemnation of damages, under the present system, a commission is appointed by the Circuit Court, and the commissioners meet as they please and take evidence as they please and make a report to the Circuit Court. The Circuit Court may confirm the findings or reject the findings, but during the investigation the Commission is free to do as it pleases. Under the proposed system the assessments of benefits and damages are made by jury. A jury is impaneled by the Circuit Court, not from the box as juries are usually impaneled, but the Circuit Court appoints a jury of six men. This jury sits as any other jury does in the presence of the Court and under the Court's supervision and takes sworn testimony. Anyone can testify before this jury. The sworn witnesses appear before it and the testimony is taken under the supervision of the Court. Then the jury comes together and finds a verdict; the verdict must be unanimous. Now, that in substance is what we are asking you to place before the people for their votes.

Remarks by Mr. Stix.

Very frequently I go east for the purpose of engaging people to come here to take charge of work at my store and I find it of the greatest difficulty to get people to come here on account of the reputation St. Louis has of not being as livable as a good many other places in this country. And I regret to say that when I look out of this window, for instance, I think the people are justified in feeling that St. Louis is not a town in which one wants to live if obliged to live in this part of it.

In the report to the Municipal Assembly is one thing which I think is of the greatest importance. That is the statement of the very small amount of the park system of St. Louis east of Grand avenue, although quite a large percentage of the people live east of Grand avenue. The West End of St. Louis, where the more wealthy people live, does not require so much of these park benefits, although the City has been very generous in giving parks to that section. The East End of the city, where live the people to whom a five-cent car fare is a very considerable sum of money to pay out for any enjoyment, is limited in the park advantages which are given so freely to the West End. The energy of the City Plan Commission has been concentrated in giving parks east of Grand avenue. Beautify east of Grand avenue! If there is anything that will help to make the City more livable it is certainly in the extension of the park benefits east-

ward. Under the present charter we are confronted with a practical handicap. The taxes under this proposed amendment will be assessed more equitably than under the present law.

(To an inquiry as to effect of parks and parkways on values.) All I can say is that if I had a piece of property on Pine street today and I knew there would be no park coming that way I would be anxious to sell, while I would hold it for a considerably increased price if I knew a park was to be put there, and I think every other real estate man would do the same thing. This part of our City across the street and running westward is certainly retrograding in value. I do not think it is going to be used for retail store purposes if we create a parkway, but it will be used for a great many other purposes—hotels and large buildings of all kinds. One thing I do know, the moment it was published in the papers that we were advising this improvement, every owner in the district which would be affected, from one end to the other, immediately advanced the price on his holding. It seems to be the consensus of opinion that the proposed parkway will improve that property. Speaking as a man at the head of a large retail store, my property will be of greater value for this reason: The moment you make the City more livable more people will come here, and I would rather have my place in a city of a million inhabitants than in a city of seven hundred and fifty thousand inhabitants. Every piece of property in the City of St. Louis will advance for the same reason. Wherever you have parks in the City of St. Louis have they not increased the values of the property immediately around them?

Remarks by Park Commissioner Davis.

There was an interesting statement in the Kansas City Park report about a year ago that I would be very glad to send down. It relates to the effect of such improvements on private property. The officials made a comparison of the assessed valuations of properties abutting on a certain boulevard in 1900, and again in 1910. Then they took the assessed valuations of property in that same district, subject to the same general causes but not abutting on the boulevard and not getting the benefits of the improvements. They found that this property abutting on the boulevard, even after paying the entire expense of building, laying out and maintaining it for ten years, had increased in value 43% more than the other property in the same district which was not on the boulevard. I believe that is the best argu-

ment in favor of a scheme of this sort, Mr. Chairman, especially as that is the experience of other cities.

About a year ago I went to Kansas City to see their general system and incidentally to talk with them about their parks and boulevards. Kansas City has developed a beautiful parkway and boulevard system, and it has been, I think, the greatest advertising that Kansas City has had. When Kansas City started in to build the system the people were rather opposed to it. They did not want to pay for the improvements because they did not realize the value. But now, as soon as a parkway is suggested through any district, the property owners come in and clamor for it to be put in front of their properties even if they have to pay for it, because they know they are going to get the benefit. What we recommend in this amendment is carrying out the same method which we have for street and sewer improvements, but which we have not for parks and parkways. All of these plans will be helped by this amendment; it does not apply entirely to this one improvement which has been suggested. It applies to parks and parkways all over the City.

There is no doubt that St. Louis is falling back very fast as regards parks and playgrounds. For example, in the last five years the City of Chicago, which has a somewhat similar law, has spent over $10,000,000 on parks and boulevards, whereas the City of St. Louis has spent $670,000. Kansas City has spent more money today, although it is not nearly the size of St. Louis and has not nearly the population, and the people there are spending more money on their parks and boulevards than St. Louis is spending, because we are absolutely dependent upon municipal revenue to do our work. This city is falling very far behind in all of these betterments.

Now, as to the proposed river front and new downtown parks, they are very badly needed. It is absolutely impossible to carry out plans for them unless we have some such method as this or unless we have enormous bond issues. The latter we cannot get. St. Louis can not buy out of the municipal revenue parks in the downtown districts where they cost a good deal of money. We have not money enough even to carry on the existing parks at the present time. We must have some legislation like this. The provisions recommended have worked in other cities. Unless we do something we are going to fall farther behind than we are today. I think if you will examine the results in other cities you will note the progress that has been made and see how we are falling behind, and you will realize just how much the proposed amendment is needed for St. Louis.

CHARTER AMENDMENT

RECOMMENDED BY THE CITY PLAN COMMISSION.

ARTICLE XVII.

Establishment of Parks and Parkways.

Section 1. The Municipal Assembly may, by ordinance recommended by the Board of Public Improvements, select and designate lands to be used, appropriated or purchased for the purpose of parks or parkways, within or without the City limits, or the widening of parkways, and lease, purchase, condemn or otherwise acquire, in the name of the City of St. Louis, lands for such parks or parkways, or the widening of parkways, and establish, change or re-establish the grade of any parkway, and when the Assembly shall provide for the establishment of any park or parkway within the City, it shall name and designate the boundary lines thereof, and any public street or streets, or portion or portions thereof within the boundary thereof so determined, shall be and become a part of such park or parkway to be established.

Plans of Payment.

Section 2. Payment for any such lands selected and acquired, whether within or without the City limits, may be made out of the general revenue fund or by the issue and sale of bonds of the City as may be provided by ordinance of the Municipal Assembly, subject to the Constitution and laws of the State, or payment for land so selected and acquired for such purposes within the City limits may be made as hereinafted provided.

Section 3. The parks and parkways established within the City limits, acquired by condemnation, may be paid for by special assess ment upon the real estate situated within the district in the City which shall be established by ordinance of the Municipal Assembly as hereinafter provided. Such special assessments may be made payable in such manner and in such time or times as may be provided by ordinance of the Municipal Assembly.

Municipal Assembly's Powers.

Section 4. The Municipal Assembly may, upon the recommendation of the Board of Public Improvements, provide by ordinance for the condemnation of any real estate necessary to be taken or damaged for any park or parkway established by ordinance as hereinabove provided; and in said ordinance shall describe the private property to be taken or damaged, and in case the same is to be paid for by special assessments upon real estate, shall designate the time and mode of payment of such assessments, and shall also prescribe the limits within which private property shall be deemed benefited by the proposed improvement, and be assessed and charged to pay compensation therefor. And in said ordinance separate descriptions of each piece or parcel of property shall not be required, but it shall be sufficient description of the property to be taken or damaged to give a description of the entire tract by metes and bounds, whether the same be composed of one or more piece or parcel. Thereupon the Street Commissioner of the City of St. Louis shall make out and deliver to the City Counselor a statement by map, plat or otherwise, containing a correct description of the several lots or parcels of private property to be taken or damaged, and containing also the names of the owners, so far as known, of such lots or parcels of land to be taken or damaged, or of any estate or interest therein, who may be such at the time of the taking effect of the ordinance providing for the taking or damaging of such private property. The proceeding for the taking or damaging of such private property for public use as herein provided, and the assessment of benefits to pay for the property so taken or damaged, if the same is to be paid for by special assessment upon real estate, shall be heard and determined by the Circuit Court of the Eighth Judicial Circuit in the City of St. Louis, Missouri.

In the Circuit Court.

Section 5. The City Counselor on behalf of the City of St. Louis shall file or cause to be filed a certified copy of such ordinance referred to in the preceding section in the Circuit Court, or with the clerk thereof. Such Court shall thereupon, and upon application of the City, make an order appointing a day and place for impaneling a jury to ascertain the compensation for the property taken or damaged, and if the same is to be paid for by special assessments upon real estate, to make assessments to pay for the property to be taken or damaged, as the same may be, which order shall recite such ordi-

nance or the substance thereof, and shall be directed to all persons whom it may concern, without naming them, notifying them of the day and place fixed for the impaneling of a jury, and for the ascertainment of the compensation to be paid for the property to be taken or damaged, and the amount of benefits, if any, to be assessed to pay therefor.

Publication.

A copy of such order shall be published daily in the newspapers at the time doing the City printing, for four successive weeks, the last insertion to be not more than one week prior to the date so fixed for said hearing. The Court may at the time of making such order, or at any time before the hearing, further order that the parties owning or having an interest in the real estate proposed to be taken or damaged be served with a copy of said order either by delivering to each of said owners or parties interested at any time before the date fixed therein for a hearing, a copy of the order, or by leaving such copy at the usual place of abode with some member of his family over the age of fifteen years, and in case of a corporation, by delivering a copy to the president, secretary or some managing officer thereof, or to any agent of said corporation in charge of any office or place of business of such corporation.

Service on Parties Interested.

If service of such notice cannot be made on any or all of such parties as above described within said City, when personal service is ordered by said Court, the return on such notice shall so state, and thereupon an alias order specifying a different date may be made by said Court, if deemed advisable, notifying such unserved parties of the fact as in case of the original notice above provided. Said cause may be continued or postponed from time to time as in civil cases in said Court. It shall not be required in any case to bring in any persons other than the owners of the property, or those interested therein, who were such at the time of the taking effect of such ordinance, and the parties claiming or holding through or under such owners or parties interested, or any of them, shall be bound by the proceedings as fully as if they were brought in. But any person having an interest in the real estate to be affected by said proceedings, may, upon application and entering their appearance, be made parties thereto, but no notice of such proceedings shall in any case be necessary to the validity thereof, except the publication of the order as

herein provided. Notice so given by publication shall be sufficient to authorize the court to hear and determine the cause, and to make any finding or order or render any judgment therein as fully as though all parties interested at the time of the taking effect of such ordinance, or at any time thereafter, had been sued by their proper names, and had been personally served.

Affidavit by the publisher, manager or any person connected with the newspapers in which said notice was published, accompanied with the printed copy of the notice, shall be prima facie evidence of the publication of such order as herein required. The service of such notice or order when so ordered by the Court may be made by the City Marshal, or other officer authorized to serve judicial writs, and any return of such Marshal or other officer shall be evidence of the facts therein stated.

Incorporated Companies.

Section 6. If any incorporated company which may be interested in the whole or in any part of the land to be taken or damaged by said proceedings, be entitled by law to trial of its claim for compensation therefor by a common-law jury, it may at any time prior to the day fixed as herein provided for impaneling a jury, file in the office of the Clerk of said Court a petition in which it shall state the description of the property owned or claimed by it so to be taken or damaged, and the amount and nature of its claim therefor, and may further state that it demands a trial before a common-law jury of its claim for compensation therefor, and if any such incorporated company shall not so file such petition before such date, it shall be deemed and taken to have waived its right of trial by a common-law jury as aforesaid, of such issue. And if any incorporated company, which may, under the law of the land, be entitled to a trial by a common-law jury as aforesaid, shall file such petition, then the Court shall cause said jury to be impaneled for the trial of such claim, and the issues to be tried by such jury shall be the actual value of the land and premises proposed to be taken without reference to the projected improvement, and to ascertain the actual damages done to the property thereby, including all that the City may from time to time do or cause to be done with or upon the private property so taken or damaged. If any incorporated company interested in land to be taken or damaged as aforesaid be entitled to trial by a common-law jury as aforesaid, and shall make demand therefore as aforesaid, said

cause or further proceedings in the same shall be continued from time to time by the Court until such issue or issues shall have been determined by the verdict of said jury:

Methods of Protest.

Provided, that any party to any such issue who may feel aggrieved by the verdict of such jury may, within four days after the rendition of the same, file a motion for a new trial and in arrest of judgment, and said motion or motions shall be heard without delay, and after hearing the same the Court may overrule the same or may order a new trial of such issue or issues on good cause shown, but no appeal from the judgment of the Court overruling such motion shall be had therein until the final judgment and confirmation of the entire proceeding by said Court as hereinafter provided.

After the rendition of the verdict of such common-law jury, and after the hearing of the exceptions thereto on the motion for a new trial or in arrest of judgment, if any there be, or if no such jury trial be demanded, then upon the day fixed by the order and notice aforesaid for impaneling a jury, or upon any day thereafter to which said cause may have been continued as aforesaid, the Court shall impanel a jury of six freeholders and the cause shall proceed before such jury of freeholders impaneled to try the same as set forth in the next succeeding section.

Jury of Six Freeholders.

Section 7. Said Court, upon the day fixed therefor, or upon some subsequent day to which said cause may have been continued, shall appoint a jury of six freeholders of the City, who shall not be interested in the property to be taken or damaged, who shall receive the same compensation as other jurors in said Court, and said jurors upon entering upon their duties as such shall make oath before the Clerk of the Court that they will faithfully and impartially ascertain the actual damages or just compensation to be paid, as to each tract of land separately, as well as the benefits, if any, to be assessed under such instructions as shall, after the evidence has been heard, be given to them by the Court, and if there shall be minors, incompetents or any other person under guardianship interested in any of the lands to be taken or damaged, or lands to be assessed, such persons may appear by their guardians, or the Court may, upon application, appoint guardians ad litem, who may appear in their behalf, but the failure of any such persons to so appear or be represented by guardians ad

litem, as aforesaid, shall not in any manner affect the validity of the proceedings. The parties interested may submit evidence to said jury of freeholders and such jury may examine personally each piece of property described on such map or plat furnished as aforesaid by the Street Commissioner, or his assistants, to the City Counselor, and all property claimed to be damaged, and such jury may examine personally the property, if any, to be assessed with benefits, and the Street Commissioner, or any assistant in his office, may accompany such jury for the purpose of pointing out the property aforesaid, and the Court may continue the proceedings from day to day, or adjourn to a future day. The party owning any property taken may remove any improvements thereon, and if he elect so to do, that fact shall be taken into consideration by the jury in assessing damages; such party owning property taken or damaged, however, shall make his election in open Court at the time of trial and before evidence is introduced, as to whether or not such owner desires to remove the improvements or not, and the verdict of the jury shall specify upon which theory the damages are found.

Duties of the Jury.

Section 8. The jury shall ascertain the just compensation to be paid as follows: First to ascertain the actual value of the land and premises proposed to be taken without reference to the projected improvement, and then to ascertain the actual damage done to the property thereby, provided, that in case any claim for compensation shall have been tried and ascertained by a common-law jury as provided in Section 6 of this Article, any jury of freeholders in said proceeding shall accept and adopt the valuation or assessment of damages for the land taken or damaged as assessed by said common-law jury, and shall so recite the same in and as part of any verdict therefor rendered by any such jury of freeholders.

Section 9. If the land to be taken or damaged, as aforesaid, is to be paid for by the assessment of benefits upon real estate, the jury of freeholders, to pay the compensation for the land taken or damaged, shall assess against the City the amount of benefit to the public generally, inclusive of any benefit to the property of the City within the benefit district defined exclusive of public highways, and shall assess the remainder against each and every lot, piece and parcel of private property, exclusive of the buildings and improvements thereon, within the benefit district, if any benefit is found to accrue thereto.

Form of Verdict.

Section 10. The jury of freeholders shall render a verdict which shall show:

1st. A correct description of each piece or parcel of private property taken, and of each piece or parcel of private property damaged, and the amount of compensation and damages, returning the same in one sum in their verdict, and in case the property to be taken or damaged is to be paid for out of the General Fund, or from the issue and sale of bonds of the City, and not by the assessment of benefits against real estate, no further finding of the jury shall be necessary.

2d. If the property taken or damaged is to be paid for by the assessment of benefits upon real estate, the verdict of said jury shall also show in compensation for the property taken or damaged, the amount, if any, assessed against the City, and shall show the amount of benefits assessed against each piece and parcel of private property found benefited within the benefit district.

Assessor's Records Available.

The Chief Clerk in the office of the City Counselor shall, when required, aid said jury of freeholders to put their verdict into proper form, and said jury may use the books, plats and records in the office of the City Assessor, and if the jury shall find any number of tracts or parcels of land within the benefit district are benefited ratably in proportion to the assessed value thereof as shown by the books of said Assessor, they may so assess the same, and said jury shall not be discharged until their verdict shall have been inspected by the Court and found to be correct in form, and the jury may be required by the Court to correct any errors of description or other clerical errors. Said verdict shall be signed by each of said jurors, and the Court may on its own motion, or on the motion of the City or of any party interested in the proceedings, filed within four days after the rendition of the verdict, for good cause set aside the verdict of said jury of freeholders, and thereupon without further notice may appoint a new jury of freeholders to make a new appraisement or assessment, and fix a time for a rehearing of the whole matter, provided that the verdict of any common-law jury theretofore rendered in such proceeding, fixing the compensation to be paid to any incorporated company, shall be accepted by such new jury of freeholders as part of its finding.

Form of Judgment.

Section 11. The verdict, unless set aside as aforesaid, shall be confirmed and judgment entered thereon that the City, upon payment of the compensation assessed therefor, shall have and hold the property sought to be taken, for the purpose specified in the ordinance providing for said improvement, that the City pay the benefits assessed against said City, and that the City recover the respective amounts assessed against private property, and that the several lots and parcels of private property so by the verdict assessed to pay compensation, stand severally charged and bound for the payment of the respective assessments and the interest that may accrue thereon, and if said assessments are by the ordinance aforesaid made payable in more than one instalment, the judgment shall so recite. Such judgment shall be by the Clerk entered, indexed and abstracted in the books used for that purpose, and if such assessments or any portion thereof against any tract or parcel assessed, or any portion thereof, be not paid and discharged when the same becomes due or collectible, and shall be in default as hereinafter provided, the collection of the same may be enforced by special execution or executions against the lot, tract or parcel or land charged with the lien thereof, and such execution or executions shall issue upon the filing of the statement by the City Comptroller with the Clerk of the Court showing what assessments are unpaid and collectible, and against what lots and parcels of land, and the amount or amounts due and collectible thereon.

Executions.

The proceedings under such special execution or executions shall, as far as practicable, conform to the proceedings upon special executions on ordinary judgments foreclosing liens on lands, and any such execution herein authorized shall be deemed sufficient if it recites the date of the judgment, the amount assessed and remaining unpaid against the tract or tracts described in such execution, states that such tract or tracts were assessed to pay compensation for private property taken or damaged for public use as provided in ordinance ordering such improvements, giving the time and date of the taking effect of such ordinance, and commands the sheriff to sell each lot or parcel of property described in said execution, or so much thereof as may be necessary to satisfy the assessment, interest and cost of such execution and sale, and any number of tracts and parcels included in

one judgment may be sold under one and the same execution, and at the same time and in pursuance to one notice of sale, in which case the cost of such execution of sale shall be apportioned against the several tracts and parcels in proportion to the number of the sales included in such execution, but on any such judgment execution may, at the instance of the City, issue against one or more tracts separately at different times or two or more tracts may be included in one execution.

Certificates of Purchase.

Upon sale made by the sheriff under any special execution, he shall issue to the purchaser a certificate of purchase setting forth the substance of said special execution as it relates to the property described in such certificate, the date of sale, the purchaser of the property sold, and the amount bid. Such certificate of purchase shall be delivered by the sheriff to the purchaser on payment of the amount bid, which certificate shall be executed and acknowledged by such sheriff before some officer authorized to take acknowledgments of instruments affecting real estate, and shall be filed for record in the office of the Recorder of Deeds of the City of St. Louis within six months after the date of the same. If the property so sold be redeemed within one year from the date of such sale by the owner of, or a party interested in, said property, by payment to the sheriff of the amount due on said judgment, together with any taxes that may have been paid by the purchaser after such sale and before redemption, including interest on said amounts at the rate of ten per cent per annum, and costs up to the date of the redemption, no deed shall be given by the sheriff. The holder of said certificate of purchase prior to the redemption thereof shall have the right to pay general and special taxes and special assessments against the property described in said certificate of purchase when the same are due and payable, and shall deliver the receipt or receipts thereof to the sheriff, and any redemption by the owner or party interested in such property shall include the amount of such payments with interest thereon as above provided. Upon such redemption as herein provided, of any lot or parcel of land sold under special execution, the sheriff shall give a certificate of redemption describing said lot or parcel, and acknowledging receipt in full of such judgment, interest and costs, which shall be executed and acknowledged by such sheriff before some officer authorized to take acknowledgments of deeds to real

estate, and the cost thereof shall be included in the cost of such redemption. If the lot or parcel of land so sold be not redeemed as herein provided, a deed shall be given at the end of one year from the date of said sale, by the sheriff, to the holder of said certificate. Such deed may be given to the original holder or his assignee, and shall vest in the grantee all the right, title, interest and estate in the lot or parcel so sold.

Right of Appeal.

Section 12. Any party aggrieved by any verdict and judgment aforesaid may take an appeal therefrom in the manner provided by statute for appeals in civil causes.

Section 13. The Municipal Assembly, at any time before any of the assessed benefits shall have been paid, may repeal the ordinance ordering the proposed improvement, if such repeal be deemed for the best interests of the City, and in such event the judgment for compensation and benefits shall be void.

Section 14. After the judgment of confirmation of such verdict and proceedings the Clerk of said Court shall certify under the seal of said Court a copy of said verdict, which shall be delivered by said Clerk to the Comptroller of said City. The lien of such assessment shall continue against each lot or parcel assessed until the assessment against such lot or parcel has been paid or collected in full, both principal and interest. No assessment shall be defeated or affected by any irregularity affecting any other assessment or from the rendering of any other assessment invalid in whole or in part.

Payments by Instalments.

Section 15. Said assessments shall be payable in one instalment, or in such number of annual instalments as may be determined by the Municipal Assembly, upon the recommendations of the Board of Public Improvements, such determination to be declared in the ordinance of the Municipal Assembly under which said proceedings are instituted. All assessments confirmed by the Circuit Court during any year ending with the thirtieth of April, if payable in more than one instalment, shall have their first instalment due on the thirtieth day of June next following, and the successive instalments shall be due on the thirtieth day of each succeeding June until all shall have been paid, with interest as provided by law; provided, that assessments payable in one instalment shall be payable without interest within sixty days after said judgment of confirmation thereof, and

if not so paid, shall bear interest at the rate of eight per cent per annum from the date of the confirmation thereof, and execution may issue thereon. Instalments of all assessments payable in more than one instalment may be paid without interest within sixty days after the date of the judgment of confirmation of the verdict of the jury making said assessment; but if not so paid, they shall bear interest at the rate of six per cent per annum from the date of said judgment of confirmation, and such interest shall be due and payable annually on the thirtieth day of June of each year; Provided, however, that the owner of the property charged with the payment of such assessment or any instalment thereof, or the owner of any interest therein, shall have the privilege of paying such assessment in full, or any instalment thereof, at any time by paying all the interest thereon to a date six months after the date of said payment, except only as to any instalment due within six months from the date of such payment, upon which instalment interest shall be paid to maturity thereof. All instalments of assessments, and interest on any such instalments, if not paid at maturity, shall bear interest thereon at the rate of eight per cent per annum until paid; and if any instalment of any assessment payable in more than one instalment, or if interest on any instalments be not paid at maturity and shall remain in default for three months thereafter, then all the unpaid instalments and interest shall be collectible, together with interest thereon at the rate of eight per cent per annum from the date of the maturity of said interest or instalment in default, and special executions may issue as aforesaid for the collection of all the instalments and interest unpaid and the costs of such collection. Provided, that the owner or party interested may pay to the City Treasurer, application having first been made to the Comptroller who shall issue a statement to the Treasurer concerning the amount due upon such assessment, at any time before special execution has issued against his land, the amount of the instalment or instalments and interest in default with interest thereon at eight per cent as aforesaid, in which case the instalments not then due shall not be affected by such default.

Records of Assessments.

Section 16. The Comptroller shall keep a record of all special assessments charged against lands as herein specified. All assessments and interest thereon shall be payable at the office of the City Treasurer, application having first been made to the Comptroller who shall issue a statement to the City Treasurer concerning such assess-

ment, upon application of the party desiring to pay the same at any time before special execution has issued thereon, and thereafter they shall be payable to the sheriff with costs at any time before the date of the sale, and when any person shall pay an assessment or instalment it will be the duty of the City Treasurer to sign a receipt in triplicate, the original of which shall be delivered to the party paying the assessment, one copy to the Auditor, and one to the Comptroller, and the City Comptroller shall make and keep a perfect record and account showing all sums that have been received by the Treasurer on account of such improvements, the assessment for each improvement being kept together in the books of the Comptroller's office as an account of that particular improvement. Upon the payment in full, together with all interest, of any assessment against a piece of property, the City Comptroller shall notify the City Counselor that the assessment against said particular property has been fully paid and satisfied, and upon the receipt of such notice the City Counselor shall acknowledge satisfaction of the judgment as affecting such piece of property.

Special Trust Funds.

Section 17. The money collected by the Treasurer upon such assessments, and all interest thereon, together with the proceeds of sale of lands under special execution, as aforesaid, shall be held upon special trust to be applied in payment on lands taken, damaged or condemned as aforesaid, or in payment of park fund certificates as hereinafter provided, and any surplus resulting after all such payments shall have been made, shall be kept in a fund to be applied and shall be appropriated from time to time by the Municipal Assembly towards the cost of maintenance of the improvement established by such proceedings. It shall be the duty of the Comptroller to keep a separate and full account for each list of special assessments growing out of a separate proceeding as aforesaid, of all moneys received and paid out and of all park fund certificates, if any, issued thereon, and of the payment and cancellation of the same, and of the distribution of dividends made thereon as hereinafter set forth, and he shall make report thereof each year as part of his annual report and shall publish the same with his annual statement. At the date when any instalment or payment shall become due upon such assessments, it shall be the duty of the City Comptroller to proceed to collect all such delinquent assessments in the manner provided in Section 11 of this Article; Provided, that if the holder of a majority of any series of

park fund certificates issued in pursuance of this Article shall require the collection of any instalments of any assessments that may be delinquent upon which said series of park fund certificates are based, it shall be the duty of the City Comptroller to make out a list of such delinquents and proceed to collect the same as aforesaid. Any moneys received from special assessments upon which no park fund certificates have been issued shall be applied directly to the purposes for which said assessments were made, but the City Treasurer shall hold all funds collected from special assessments, with interest thereon, if any, until the same are applied to the purposes for which said assessments were made; and he shall be responsible for the safe keeping of said funds, to the same extent as for other City funds, and shall keep separate accounts of the money so paid in, and all interest accruing on daily balances shall be credited to such funds, and for any breach of duty by the Treasurer or Comptroller prescribed in this Article, they and each of them shall be liable for a breach of duty as in respect to any other City funds, and the bond required for the Treasurer for the faithful discharge of his duties shall be held to cover also the duties regarding all moneys collected from special assessments as aforesaid and his duties as trustee hereunder and his bondsmen shall be liable for any breach of said trust or said duty.

Park Fund Certificates.

Section 18. After the confirmation by the Circuit Court or Appellate Court on appeal as hereinbefore provided, of any verdict in any proceeding in which special benefits are assessed against real estate as compensation for property taken, damaged or condemned for park or parkway purposes, the Municipal Assembly, upon the recommendation of the Board of Public Improvements, and for the purpose of raising money in advance of the dates when assessments are due, to pay for land taken, damaged or condemned, may provide by ordinance that the City Comptroller shall issue park fund certificates in an amount not to exceed the total amount of assessments against the private property shown in any such verdict, and unpaid at the expiration of sixty days from the confirmation thereof as aforesaid. Such certificates shall be in such form and for such sums as may be provided by ordinance, and shall be either payable to the order of the registered holder or be payable to bearer. Any such certificate shall entitle the holder or owner thereof to his proportionate share, as shown by such certificate, of the special assessments and the in-

terest thereon as the same are collected upon which such certificates are issued, and shall so specify.

Distribution of the amounts collected upon said special assessments, including interest, shall be made to the holder or holders of such certificates pro rata at least semi-annually, at such specified dates as may be provided in the ordinance authorizing the issuance of the same, and the holder shall receipt for such payments, and the City shall be liable on such certificates, to the holders thereof for the sums collected from the special assessments, upon which said certificates are issued, and not otherwise.

Should the purchaser or holder elect, said certificates shall be registered by the Comptroller in the name of the owner and his assigns from time to time.

Protection of Certificates.

All park fund certificates issued on account of special assessments growing out of the same condemnation or assessment proceeding, including supplemental proceedings, which shall be considered a part of the original proceedings, shall be designated as a series, and if any series comprises more than one certificate, such certificates shall be numbered.

Each of such park fund certificates shall bear the certificate of the Comptroller that the same is one of a series of certificates issued on account of certain assessments, to which such series relates, and that such series is not in excess of the same; and the Comptroller shall keep a record of all certificates issued in each series, and of all payments and dividends thereon, and shall publish the same in his annual statement, and also statements of the amounts received from such assessments, and shall at the request of the holder of any park fund certificates certify to such holder the amount that has been collected and paid on the same from assessments, both principal and interest.

Immediately upon full payment and surrender of any park fund certificates, the City Comptroller shall cancel the same and keep a record thereof. But when all the assessments represented by a series of such certificates have been fully collected so far as possible, with interest thereon, and all sums collected have been distributed as aforesaid, such certificates shall be surrendered and cancelled, and if not surrendered shall nevertheless be void.

Certificates At Not Less Than Par.

Section 19. The Comptroller shall sell such park fund certificates at such price not less than the face value of the amount of the assessments, excluding interest represented by said certificates, as may be obtainable, and shall determine the manner and means of such sale. Such certificates shall be delivered by the Comptroller to the purchaser upon payment therefor to the City Treasurer, and the Comptroller shall keep a record thereof; and the proceeds of such certificates so sold shall be used for payment for the land taken, damaged or condemned for park or parkway purposes, for the establishment of which the assessments were made, on which such certificates are issued, and any surplus remaining after all such payments are made in full, shall accumulate and create a fund for the payment of the cost of maintenance of the improvement established by such proceedings; but such certificates may by agreement be issued directly in payment for land taken, damaged or condemned for park or parkway purposes, and upon the issuance of such park certificates in direct payment for the land so taken, damaged or condemned, the owner shall execute to the City a receipt and release in full for such amounts awarded by the final judgment in said proceeding. All payments made out of the City Treasury for land condemned under this Article, as well as payments made to the holders of park fund certificates issued hereunder, shall be upon requisition to the Auditor for warrants signed by the Comptroller.

Section 20. It shall be the duty of the Comptroller at all times to protect such park fund certificates by all means provided therefor, and he shall cause to be paid out by the City Treasurer all sums collected from special assessments as aforesaid, to the holders of such certificates issued thereon, which payments shall be made promptly to such holders on demand on the dates fixed for the distribution thereof as provided by ordinance.

Supplemental Proceedings.

Section 21. When, by reason of any error, defect or omission in any proceedings that may be instituted under the provisions of this Article, a portion of the private property sought to be taken, or some interest therein, cannot be acquired, or an assessment is made against private property which cannot be enforced or collected, the City Counselor upon advice from the Comptroller, may, and in case park fund certificates have been issued, shall institute, carry on and main-

tain supplemental proceedings to acquire the right and title to such property or interest therein, intended to be taken by the first proceeding, but which cannot on account of such defect, error or omission, be acquired thereunder, or to properly assess against any piece or parcel of private property against which an assessment was in the first proceeding erroneously made, or omitted to be made, the proper amount that such private property, exclusive of the improvements thereon, is benefited by the proposed park, parkway or other improvements to be determined by the verdict of the jury in such supplemental proceedings; and the original assessments may be revised, corrected, increased or diminished as may be necessary or equitable under the provisions of this Article for the original proceedings. Such supplemental proceedings shall be instituted and conducted as to the particular piece or pieces of private property sought to be acquired or assessed, in like manner and with like effect as in the original proceedings, and shall be known and described as supplemental proceedings, for the purposes specified in the original ordinance; and a supplemental verdict and assessment shall be made, confirmed and a copy of the verdict certified in every particular as in the original proceedings, and the assessments as established and corrected by such supplemental verdict shall be collected by the Comptroller in the same manner and under like conditions and restrictions, powers and duties as in the case of original proceedings, and remain and be pledged for the payment of park fund certificates, if any, that have been issued, or that may be issued thereon.

Full Payment Before Possession.

Section 22. The City shall not be entitled to the possession of any lot or parcel of property taken under the provisions of this Article until full payment of the compensation therefor, as determined, be made or paid into Court for the use of the persons in whose favor such judgment may have been rendered, or who may be lawfully entitled to the same, and upon such payment as aforesaid, such Circuit Court, or judge thereof, in which proceedings were had, shall immediately order, adjudge and decree that the title in fee to, and every other interest in the land so condemned and taken for such park or parkway be divested out of such owner and other persons interested, and vested forever in the City for such public use; and the Court shall thereupon, without delay, put the City in the possession thereof, and it shall be the duty of the City Counselor, within six months after the rendition of the judgment and decree vesting the title of

such land in said City as aforesaid, to cause a duly certified copy of said judgment or decree to be filed and recorded in the office of the Recorder of Deeds of the City of St. Louis.

Conflicting Claims.

And subsequent legal proceedings shall not affect the title or possession of the City to said property so acquired, but shall only affect the question of damages and assessments for benefits, and the value to be fixed in such subsequent proceedings, if any, shall be as of the date of the original proceedings, and no improvement of the property made in the meantime shall be considered. If the title to the property taken be in controversy, the right to the compensation therefor shall be determined in a suit between the parties claiming the same, in which none of the costs of litigation shall be borne by the City, unless the City is one of the claimants, and during such controversy such compensation shall remain in the possession of the Court; but the title and possession of the City to the property taken shall not be in any manner affected by such controversy.

Section 23. The lands which may be selected and obtained under the provisions of this Article shall remain forever for parks and parkways for the use of all the inhabitants of said City.

Section 24. The City shall pay all costs of proceedings under this Article to take or damage private property or to levy assessments for benefits as herein provided, except costs of proceedings for collecting overdue assessments, which shall be taxed against the real estate upon which said assessments are levied, and except the costs upon appeal, which shall be paid by the party unsuccessfully prosecuting the same; and the City Counselor shall, personally, or by any of his associates and assistants, and as a part of his duties as such Counselor, conduct all Court proceedings under this Article.

If the City fails to collect any assessments, in whole or in part, it may pay the amount not so collected out of the City Treasury.

Regulation and Improvement.

Section 25. The Municipal Assembly may by ordinance recommended by the Board of Public Improvements regulate the traffic on all parkways, and may regulate the width of tires of all vehicles used on or passing over the roadways within the same, may exclude heavy driving thereon, or any kind of vehicles therefrom; and may provide

for grading, re-grading, paving, re-paving, curbing, re-curbing, guttering, re-guttering, improving, constructing, re-constructing, planting of trees and shrubbery, and all other things of that description and nature thereon, and for the laying out of driveways, trafficways, roads, walks and all other ways for transportation thereon, and may provide for the payment of the entire cost for such work, or improvements, or any part thereof, out of the general revenue fund, or if the Board of Public Improvements shall so recommend, the entire cost connected with any or all of said work, upon such parkway, or the cost of any of such work, or portion thereof, may be levied, assessed and collected as a special tax on the property fronting or bordering on such parkway in the proportion that the linear feet of each lot fronting or bordering on such parkway, bears to the total number of linear feet of all property fronting or bordering on the same, and all special tax bills for all work shall be made out in the name of the contractor, and delivered to him, and his receipt taken for all claims against the City in the same manner as provided by this Charter for other special tax bills for doing public work. All such special tax bills shall be prima facie evidence of the liability of the property charged therewith to the extent and amount therein stated.

Section 26. The Municipal Assembly shall enact all ordinances necessary or proper for the carrying into effect of the provisions of this Article.

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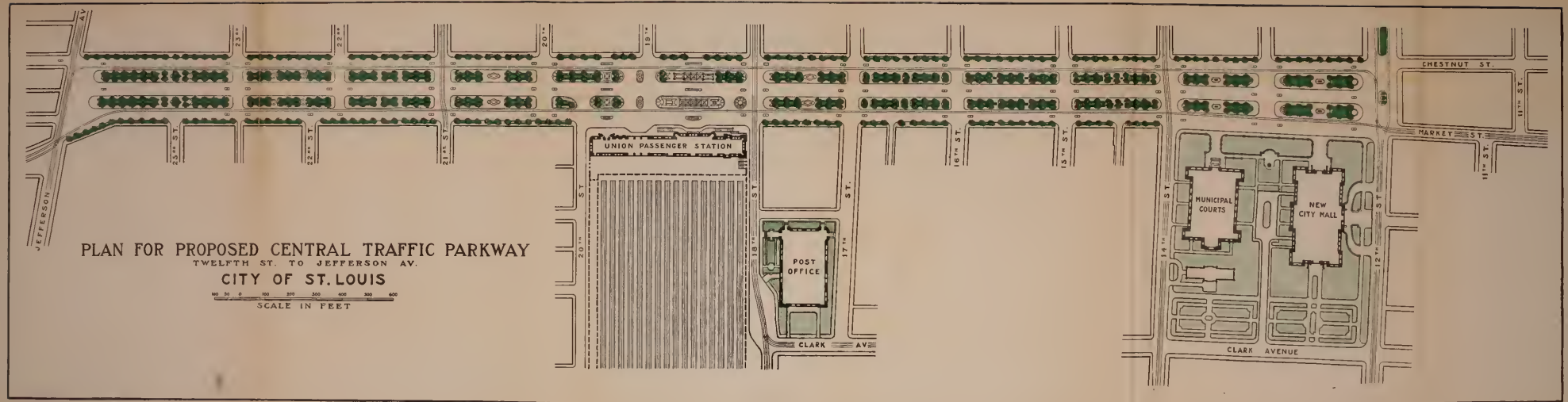

PLAN FOR PROPOSED CENTRAL TRAFFIC PARKWAY

TWELFTH ST. TO JEFFERSON AV.

CITY OF ST. LOUIS

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